

State of Arkansas  
76th General Assembly  
Regular Session, 1987  
By: Representative Mahony

HOUSE BILL 1890

"AN ACT TO AMEND SUBSECTION (A) OF SECTION 24 OF ACT 876 OF 1973, AS AMENDED, THE SAME BEING THE GENERAL ACCOUNTING AND BUDGETARY PROCEDURES LAW, TO ALLOW OVERPAYMENT OF SALARIES TO BE TREATED AS A REFUND TO EXPENDITURES; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. AMENDMENT. Subsection (A) of Section 24 of Act 876 of 1973, as amended, is hereby amended to read as follows:

"(A) METHOD OF HANDLING. The Chief Fiscal Officer of the State shall prescribe the method of handling refunds and reimbursements to the state for moneys previously paid out or due the state; provided that no properly classified appropriation account exists on the books of the Chief Fiscal Officer and State Auditor for which the respective refund is applicable, the Chief Fiscal Officer is authorized to establish such appropriation account on the books of the Chief Fiscal Officer, State Auditor and various Fiscal Officers. No such refunds shall cause a transfer of appropriation on the books of the Chief Fiscal Officer, State Auditor and various Fiscal Officers except for: proceeds received from insurance policies for casualty losses by state agencies, departments or institutions; proceeds received from vendors on account of overpayment of obligations remitted by state agencies, department [departments] or institutions; refunds to state agencies for cash advances or over-allocations made to state and local agencies for subgrants; refunds to state agencies for the erroneous or overpayment of salaries to state employees; proceeds derived from the maturity or redemption of investments; and reimbursements to institutions of higher learning for cash fund expenditures for salaries which are properly chargeable to funds in the State Treasury."

SECTION 2. REPEALING CLAUSE. All laws and parts of laws in conflict herewith, are hereby repealed.

SECTION 3. It is hereby found and determined by the General Assembly that because of the case *Ricarte v. State*, CR 86-31, a question has arisen over the validity of Act 1110 of the Extended Session of 1976; that this Act is a reenactment of the former law; and that the immediate passage of this Act is necessary to clarify the state of the law on this issue. Therefore, an emergency is hereby declared to exist, and this Act being necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval.

