

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015

# A Bill

HOUSE BILL 1437

4  
5 By: Representative G. Hodges

## For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW APPLICABLE TO THE BUDGET  
9 STABILIZATION TRUST FUND; TO DECLARE AN EMERGENCY;  
10 AND FOR OTHER PURPOSES.

## Subtitle

11  
12  
13  
14 TO AMEND THE LAW APPLICABLE TO THE BUDGET  
15 STABILIZATION TRUST FUND; AND TO DECLARE  
16 AN EMERGENCY.

17  
18  
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20  
21 SECTION 1. Arkansas Code § 19-5-501(b)(1)(C) and (D), concerning the  
22 Budget Stabilization Trust Fund, are amended to read as follows:

23 (C)(i) The Except as otherwise provided in this  
24 subdivision (b)(1)(C), loans made to the Income Tax Refund Fund, to the  
25 Gasoline Tax Refund Fund, to the Interstate Motor Fuel Tax Refund Fund, and  
26 to those other funds established in the Revenue Classification Law, § 19-6-  
27 101 et seq., are to be repaid on the last day of the month of which the loan  
28 was made.

29 (ii) Loans made under subdivision (b)(1)(D) of this  
30 section shall be repaid by June 30 of the fiscal year in which the loan was  
31 made.

32 (iii)(a) However, loans Loans made to the Department  
33 of Human Services Fund during June of any fiscal year for making cash  
34 assistance payments to eligible individuals under the Temporary Assistance  
35 for Needy Families Program for delivery on or about July 1 of the following  
36 fiscal year shall be repaid on or before July 31 of the fiscal year following



1 the fiscal year in which the loan was made, ~~and loans.~~

2 (B) Loans made to the Department of Human  
3 Services for the Developmental Disabilities Services Fund Account and the  
4 Behavioral Health Services Fund Account in the last month of a fiscal year  
5 for federal reimbursement for ~~Medicaid and Medicare eligible~~ Medicaid-  
6 eligible services and Medicare-eligible services shall be repaid immediately  
7 upon receipt of reimbursement but no later than July 31 of the fiscal year  
8 following the fiscal year in which the loan was made.

9 (D)(i) The maximum amount of funds that may be loaned to  
10 the funds established in the Revenue Classification Law, § 19-6-101 et seq.,  
11 shall be ~~ninety-seven percent (97%)~~ one hundred fifty percent (150%) of the  
12 estimated revenues to be deposited into the State Treasury during that month  
13 to the credit of the State Apportionment Fund and which will become available  
14 to that operating fund at the end of the month, excluding the Department of  
15 Correction Farm Fund, the Department of Correction Prison Industry Fund, the  
16 Department of Arkansas State Police Fund, and the State Forestry Fund.

17 (ii) Except with respect to the funds excluded under  
18 this subdivision (b)(1)(D), loans in excess of one hundred percent (100%)  
19 shall not be made more than four (4) times per fiscal year per fund.

20 (iii) Loans and distribution of general revenue  
21 funds made to the County Aid Fund and the Municipal Aid Fund are to be made  
22 on the basis and to the extent of the funds estimated to be available as ~~set~~  
23 ~~out~~ stated in § 19-5-402(a) so that an equal monthly distribution of general  
24 revenues is made, based upon the Chief Fiscal Officer of the State's monthly  
25 forecasts of general revenue distribution.

26  
27 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
28 General Assembly of the State of Arkansas that the operations funded by the  
29 funds established in the Revenue Classification Law are necessary for the  
30 preservation of the public peace, health, and safety; that reliable funding  
31 is essential to the performance of those operations; and that this act is  
32 necessary because without the increased ability to loan additional funds to  
33 maintain reliable funding, those operations may be compromised. Therefore,  
34 an emergency is declared to exist, and this act being immediately necessary  
35 for the preservation of the public peace, health, and safety shall become  
36 effective on:

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.