

1 State of Arkansas  
2 95th General Assembly  
3 Regular Session, 2025  
4

# A Bill

HOUSE BILL 1034

5 By: Representative A. Collins  
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## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION TO THE DEPARTMENT OF  
10 HUMAN SERVICES - DIVISION OF AGING, ADULT, AND  
11 BEHAVIORAL HEALTH SERVICES FOR AN ADDITIONAL STATE  
12 BEHAVIORAL HEALTH HOSPITAL FOR THE FISCAL YEAR ENDING  
13 JUNE 30, 2026; AND FOR OTHER PURPOSES.  
14

## Subtitle

15  
16 AN ACT FOR THE DEPARTMENT OF HUMAN  
17 SERVICES - DIVISION OF AGING, ADULT, AND  
18 BEHAVIORAL HEALTH SERVICES FISCAL YEAR  
19 2025-2026 CAPITAL IMPROVEMENT  
20 APPROPRIATION.  
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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26 SECTION 1. APPROPRIATION - ADDITIONAL STATE BEHAVIORAL HEALTH HOSPITAL.  
27 There is hereby appropriated, to the Department of Human Services - Division  
28 of Aging, Adult, and Behavioral Health Services, to be payable from the cash  
29 fund deposited in the State Treasury as determined by the Chief Fiscal  
30 Officer of the State, the following:

31 (A) for expenses associated with the construction of an additional  
32 State Behavioral Health Hospital, in a sum not to exceed .....\$250,000,000.  
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34 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND  
36 TRANSFER. Immediately upon the effective date of this Act, the Chief Fiscal



1 Officer of the State shall transfer on his or her books and those of the  
 2 State Treasurer and the Auditor of the State the sum of two hundred fifty  
 3 million dollars (\$250,000,000) from the General Revenue Allotment Reserve  
 4 Fund to a cash fund deposited in the State Treasury as determined by the  
 5 Chief Fiscal Officer of the State.

6 The provisions of this section shall be in effect only from July 1, 2025  
 7 through June 30, 2026.

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 9 SECTION 3. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 5-2-  
 10 314(j)(1) and (2), concerning the hearing and examination of a defendant  
 11 regarding mental disease or defect, are amended to read as follows:

12 (j)(1)(A) It is the duty of the prosecuting attorney's office in the  
 13 county where the petition is filed to represent the State of Arkansas at any  
 14 hearing held pursuant to this section except a hearing pending at the  
 15 Arkansas State Hospital ~~in Pulaski County~~.

16 (B) A prosecuting attorney may contract with another  
 17 attorney to provide services under subdivision (j)(1)(A) of this section.

18 (2) The office of the Prosecutor Coordinator shall appear for  
 19 and on behalf of the State of Arkansas at the Arkansas State Hospital ~~in~~  
 20 ~~Little Rock~~.

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 22 SECTION 4. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 20-47-  
 23 208(a)(1), concerning the role of a prosecuting attorney in a petition for  
 24 involuntary commitment and treatment of a person, is amended to read as  
 25 follows:

26 (a)(1) It shall be the duty of the prosecuting attorney's office in  
 27 the county where the petition is filed to represent the petitioner,  
 28 regardless of the petitioner's financial status, at all hearings held in the  
 29 circuit court pursuant to this subchapter except those hearings held before  
 30 the circuit judge at the Arkansas State Hospital ~~in Pulaski County, Arkansas~~.

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 32 SECTION 5. SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code § 25-10-  
 33 401 is amended to read as follows:

34 25-10-401. Creation.

35 The state institutions known as the Arkansas State Hospital ~~at Little~~  
 36 ~~Rock~~, the Arkansas Health Center at Benton, the Arkansas Services Center at

1 Jonesboro, the youth services center located at North Little Rock, the  
2 Arkansas Juvenile Assessment and Treatment Center located in Saline County,  
3 and all other facilities owned and operated by the Department of Human  
4 Services for youth services or mental health treatment are consolidated to  
5 form the Department of Human Services State Institutional System.  
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7 SECTION 6. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
8 obligations otherwise incurred in relation to the project or projects  
9 described herein in excess of the State Treasury funds actually available  
10 therefor as provided by law. Provided, however, that institutions and  
11 agencies listed herein shall have the authority to accept and use grants and  
12 donations including Federal funds, and to use its unobligated cash income or  
13 funds, or both available to it, for the purpose of supplementing the State  
14 Treasury funds for financing the entire costs of the project or projects  
15 enumerated herein. Provided further, that the appropriations and funds  
16 otherwise provided by the General Assembly for Maintenance and General  
17 Operations of the agency or institutions receiving appropriation herein shall  
18 not be used for any of the purposes as appropriated in this act.

19 (B) The restrictions of any applicable provisions of the State  
20 Purchasing Law, the General Accounting and Budgetary Procedures Law, the  
21 Revenue Stabilization Law and any other applicable fiscal control laws of  
22 this State and regulations promulgated by the Department of Finance and  
23 Administration, as authorized by law, shall be strictly complied with in  
24 disbursement of any funds provided by this act unless specifically provided  
25 otherwise by law.  
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27 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General  
28 Assembly that any funds disbursed under the authority of the appropriations  
29 contained in this act shall be in compliance with the stated reasons for  
30 which this act was adopted, as evidenced by the Agency Requests, Executive  
31 Recommendations and Legislative Recommendations contained in the budget  
32 manuals prepared by the Department of Finance and Administration, letters, or  
33 summarized oral testimony in the official minutes of the Arkansas Legislative  
34 Council or Joint Budget Committee which relate to its passage and adoption.  
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36 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General

1 Assembly, that the Constitution of the State of Arkansas prohibits the  
2 appropriation of funds for more than a one (1) year period; that the  
3 effectiveness of this Act on July 1,2025 is essential to the operation of the  
4 agency for which the appropriations in this Act are provided, and that in the  
5 event of an extension of the legislative session, the delay in the effective  
6 date of this Act beyond July 1,2025 could work irreparable harm upon the  
7 proper administration and provision of essential governmental programs.  
8 Therefore, an emergency is hereby declared to exist and this Act being  
9 necessary for the immediate preservation of the public peace, health and  
10 safety shall be in full force and effect from and after July 1,2025.

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