

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

# A Bill

HOUSE BILL 1152

4  
5 By: Joint Budget Committee  
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## For An Act To Be Entitled

8  
9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
10 AND OPERATING EXPENSES FOR THE DEPARTMENT OF  
11 EDUCATION - DIVISION OF PUBLIC SCHOOL ACADEMIC  
12 FACILITIES AND TRANSPORTATION FOR THE FISCAL YEAR  
13 ENDING JUNE 30, 2026; AND FOR OTHER PURPOSES.  
14

## Subtitle

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17 AN ACT FOR THE DEPARTMENT OF EDUCATION -  
18 DIVISION OF PUBLIC SCHOOL ACADEMIC  
19 FACILITIES AND TRANSPORTATION  
20 APPROPRIATION FOR THE 2025-2026 FISCAL  
21 YEAR.  
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23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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26 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established  
27 for the Department of Education - Division of Public School Academic  
28 Facilities and Transportation for the 2025-2026 fiscal year, the following  
29 maximum number of regular employees.  
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2025-2026
35	(1) N015N	ADE DIR PUB SCHOOL FACIL & TRANS	1	GRADE SE01
36	(2) N046N	ADE ASST DIR ACADEMIC FACILITIES	1	GRADE GS14



1	(3)	G051C ADE ACADEMIC FACIL SR PROJECT ADMIN	2	GRADE GS10
2	(4)	G075C ADE PROGRAM ADMINISTRATOR	1	GRADE GS10
3	(5)	E016C PUBLIC SCHOOL PROGRAM COORDINATOR	1	GRADE GS10
4	(6)	G090C ADE AREA PROJECT MANAGER	12	GRADE GS09
5	(7)	G039C SENIOR TRANSPORTATION MANAGER	1	GRADE GS09
6	(8)	C037C ADMINISTRATIVE ANALYST	1	GRADE GS06
7	(9)	A074C FISCAL SUPPORT SUPERVISOR	1	GRADE GS06
8	(10)	S028C SCHOOL BUS DRIVER TRAINER	3	GRADE GS05
9	(11)	X116C SCHOOL BUS TRANS INSPECTOR	6	GRADE GS05
10	(12)	C056C ADMINISTRATIVE SPECIALIST III	1	GRADE GS04
11	(13)	C073C ADMINISTRATIVE SPECIALIST II	<u>1</u>	GRADE GS03
12		MAX. NO. OF EMPLOYEES	32	

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14 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for  
 15 the Department of Education - Division of Public School Academic Facilities  
 16 and Transportation for the 2025-2026 fiscal year, the following maximum  
 17 number of part-time or temporary employees, to be known as "Extra Help",  
 18 payable from funds appropriated herein for such purposes: five (5) temporary  
 19 or part-time employees, when needed, at rates of pay not to exceed those  
 20 provided in the Uniform Classification and Compensation Act, or its  
 21 successor, or this act for the appropriate classification.

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23 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,  
 24 to the Department of Education, to be payable from the Division of Public  
 25 School Academic Facilities and Transportation Fund Account, for personal  
 26 services and operating expenses of the Department of Education - Division of  
 27 Public School Academic Facilities and Transportation - Operations for the  
 28 fiscal year ending June 30, 2026, the following:

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30	ITEM	FISCAL YEAR
31	<u>NO.</u>	<u>2025-2026</u>
32	(01) REGULAR SALARIES	\$1,824,466
33	(02) EXTRA HELP	2,500
34	(03) PERSONAL SERVICES MATCHING	684,412
35	(04) MAINT. & GEN. OPERATION	
36	(A) OPER. EXPENSE	319,311

1	(B) CONF. & TRAVEL	24,650
2	(C) PROF. FEES	0
3	(D) CAP. OUTLAY	0
4	(E) DATA PROC.	0
5	(05) SAFETY TRAINING	<u>207,500</u>
6	TOTAL AMOUNT APPROPRIATED	<u><u>\$3,062,839</u></u>

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 8 SECTION 4. APPROPRIATION - PROGRAMS OF THE DIVISION OF PUBLIC SCHOOL  
 9 ACADEMIC FACILITIES AND TRANSPORTATION. There is hereby appropriated, to the  
 10 Department of Education, to be payable from the Educational Facilities  
 11 Partnership Fund Account, for grants and aid and special programs providing  
 12 academic school facility and transportation assistance to the public school  
 13 districts of the Department of Education - Division of Public School Academic  
 14 Facilities and Transportation for the fiscal year ending June 30, 2026, the  
 15 following:

17	ITEM	FISCAL YEAR
18	NO.	<u>2025-2026</u>
19	(01) ACADEMIC FACILITIES PARTNERSHIP	\$211,828,951
20	(02) ACADEMIC EQUIPMENT	0
21	(03) ACADEMIC FACILITIES CATASTROPHIC	3,511,538
22	(04) ACADEMIC FACILITIES EXTRAORDINARY	
23	CIRCUMSTANCES PROGRAM	0
24	(05) ACADEMIC FACILITIES HIGH GROWTH	<u>0</u>
25	TOTAL AMOUNT APPROPRIATED	<u><u>\$215,340,489</u></u>

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 27 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
 28 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
 29 AUTHORITY - OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL FACILITIES LOAN PROGRAM.  
 30 The Department of Education - Division of Public School Academic Facilities  
 31 and Transportation is authorized to transfer any funds that are made  
 32 available for the Open-Enrollment Public Charter School Facilities Loan  
 33 Program, including funds from the Development and Enhancement Fund or its  
 34 successor fund or fund accounts, to the Open-Enrollment Public Charter School  
 35 Facilities Loan Fund.

36 The provisions of this section shall be in effect only from July 1, 2024

1 2025 through June 30 ~~2025~~ 2026.

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3 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE  
4 ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
5 TRANSFER AUTHORITY. The Director of the Department of Education – Division of  
6 Public School Academic Facilities and Transportation, with the approval of  
7 the Chief Fiscal Officer of the State and after approval by the Arkansas  
8 Legislative Council or Joint Budget Committee, is hereby authorized to  
9 request necessary appropriation transfers and any other budget related  
10 adjustments necessary only for the appropriations authorized in this Act.  
11 Furthermore, it is the intent of the General Assembly that the Department of  
12 Education - Division of Public School Academic Facilities and Transportation  
13 be able to make use of additional contractual services as necessary and that  
14 transfers between line items and among appropriations are anticipated to  
15 accomplish those purposes. Provided, however, that the Department of  
16 Education - Division of Public School Academic Facilities and Transportation  
17 shall be limited to submitting no more than two transfer requests during any  
18 fiscal year.

19 Determining the maximum number of employees and the maximum amount of  
20 appropriation and general revenue funding for a state agency each fiscal year  
21 is the prerogative of the General Assembly. This is usually accomplished by  
22 delineating such maximums in the appropriation act(s) for a state agency and  
23 the general revenue allocations authorized for each fund and fund account by  
24 amendment to the Revenue Stabilization law. Further, the General Assembly  
25 has determined that the Department of Education – Division of Public School  
26 Academic Facilities and Transportation may operate more efficiently if some  
27 flexibility is provided to the Director of the Department of Education –  
28 Division of Public School Academic Facilities and Transportation authorizing  
29 broad powers under the Transfer Authority provision herein. Therefore, it is  
30 both necessary and appropriate that the General Assembly maintain oversight  
31 by requiring prior approval of the Legislative Council or Joint Budget  
32 Committee as provided by this section. The requirement of approval by the  
33 Legislative Council or Joint Budget Committee is not a severable part of this  
34 section. If the requirement of approval by the Legislative Council or Joint  
35 Budget Committee is ruled unconstitutional by a court of competent  
36 jurisdiction, this entire section is void.

1 The provisions of this section shall be in effect only from July 1, 2024  
2 2025 through June 30, ~~2025~~ 2026.

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4 SECTION 7. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
5 authorized by this act shall be limited to the appropriation for such agency  
6 and funds made available by law for the support of such appropriations; and  
7 the restrictions of the State Procurement Law, the General Accounting and  
8 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
9 Procedures and Restrictions Act, or their successors, and other fiscal  
10 control laws of this State, where applicable, and regulations promulgated by  
11 the Department of Finance and Administration, as authorized by law, shall be  
12 strictly complied with in disbursement of said funds.

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14 SECTION 8. LEGISLATIVE INTENT. It is the intent of the General  
15 Assembly that any funds disbursed under the authority of the appropriations  
16 contained in this act shall be in compliance with the stated reasons for  
17 which this act was adopted, as evidenced by the Agency Requests, Executive  
18 Recommendations and Legislative Recommendations contained in the budget  
19 manuals prepared by the Department of Finance and Administration, letters, or  
20 summarized oral testimony in the official minutes of the Arkansas Legislative  
21 Council or Joint Budget Committee which relate to its passage and adoption.

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23 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General  
24 Assembly, that the Constitution of the State of Arkansas prohibits the  
25 appropriation of funds for more than a one (1) year period; that the  
26 effectiveness of this Act on July 1, 2025 is essential to the operation of  
27 the agency for which the appropriations in this Act are provided, and that in  
28 the event of an extension of the legislative session, the delay in the  
29 effective date of this Act beyond July 1, 2025 could work irreparable harm  
30 upon the proper administration and provision of essential governmental  
31 programs. Therefore, an emergency is hereby declared to exist and this Act  
32 being necessary for the immediate preservation of the public peace, health  
33 and safety shall be in full force and effect from and after July 1, 2025.