

1 State of Arkansas
2 95th General Assembly
3 Fiscal Session, 2026
4

A Bill

HOUSE BILL 1035

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

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
10 AND OPERATING EXPENSES FOR THE DEPARTMENT OF HEALTH -
11 TOBACCO PREVENTION AND CESSATION PROGRAMS FOR THE
12 FISCAL YEAR ENDING JUNE 30, 2027; AND FOR OTHER
13 PURPOSES.
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Subtitle

16 AN ACT FOR THE DEPARTMENT OF HEALTH -
17 TOBACCO PREVENTION AND CESSATION PROGRAMS
18 APPROPRIATION FOR THE 2026-2027 FISCAL
19 YEAR.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. REGULAR SALARIES - TOBACCO PREVENTION AND CESSATION
26 PROGRAMS. There is hereby established for the Department of Health - Tobacco
27 Prevention and Cessation for the 2026-2027 fiscal year, the following maximum
28 number of regular employees.
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| | | Maximum Annual | |
|------|--|----------------|-------------|
| | | Maximum | Salary Rate |
| Item | Class | No. of | Fiscal Year |
| No. | Code Title | Employees | 2026-2027 |
| 34 | (1) PHP03C HEALTH BRANCH MANAGER | 1 | GRADE SPC04 |
| 35 | (2) SEP01P EPIDEMIOLOGIST | 1 | GRADE SPC04 |
| 36 | (3) PHP09C PUBLIC HEALTH SECTION CHIEF | 1 | GRADE SPC03 |



| | | | |
|----|---|-----------|-------------|
| 1 | (4) PHS08P HEALTH PROGRAM SUPERVISOR/EXPERT | 1 | GRADE SGS08 |
| 2 | (5) IEH01P ENVIRONMENTAL HEALTH INSPECTOR I | 1 | GRADE SGS07 |
| 3 | (6) PHS05P HEALTH PROGRAM COORDINATOR | 2 | GRADE SGS07 |
| 4 | (7) CPR05P PUBLIC INFORMATION COORDINATOR | 1 | GRADE SGS07 |
| 5 | (8) PHS07P HEALTH PROGRAM SPECIALIST | 5 | GRADE SGS06 |
| 6 | (9) SCM11P SUICIDE PREVENTION SPECIALIST | 1 | GRADE SGS06 |
| 7 | (10) PAS02P ADMINISTRATIVE COORDINATOR | 1 | GRADE SGS04 |
| 8 | (11) FGM01P GRANTS ANALYST | 1 | GRADE SGS04 |
| 9 | (12) PAS03P ADMINISTRATIVE SPECIALIST | 1 | GRADE SGS02 |
| 10 | (13) MNU06P REGISTERED NURSE | <u>14</u> | GRADE MED05 |
| 11 | MAX. NO. OF EMPLOYEES | 31 | |

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13 SECTION 2. EXTRA HELP - TOBACCO PREVENTION AND CESSATION PROGRAMS.

14 There is hereby authorized, for the Department of Health - Tobacco Prevention
 15 and Cessation Programs for the 2026-2027 fiscal year, the following maximum
 16 number of part-time or temporary employees, to be known as "Extra Help",
 17 payable from funds appropriated herein for such purposes: four (4) temporary
 18 or part-time employees, when needed, at rates of pay not to exceed those
 19 provided in the Uniform Classification and Compensation Act, or its
 20 successor, or this act for the appropriate classification.

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22 SECTION 3. APPROPRIATION - TOBACCO PREVENTION AND CESSATION PROGRAMS.

23 There is hereby appropriated, to the Department of Health, to be payable from
 24 the Prevention and Cessation Program Account, for personal services and
 25 operating expenses of the Department of Health - Tobacco Prevention and
 26 Cessation Programs for the fiscal year ending June 30, 2027, the following:

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| 28 | ITEM | FISCAL YEAR |
|----|---------------------------------|------------------|
| 29 | <u>NO.</u> | <u>2026-2027</u> |
| 30 | (01) REGULAR SALARIES | \$1,737,683 |
| 31 | (02) EXTRA HELP | 50,000 |
| 32 | (03) PERSONAL SERVICES MATCHING | 600,972 |
| 33 | (04) MAINT. & GEN. OPERATION | |
| 34 | (A) OPER. EXPENSE | 185,000 |
| 35 | (B) CONF. & TRAVEL | 25,000 |
| 36 | (C) PROF. FEES | 2,278,900 |

| | | |
|---|---|---------------------|
| 1 | (D) CAP. OUTLAY | 0 |
| 2 | (E) DATA PROC. | 0 |
| 3 | (05) TOBACCO PREVENTION & CESSATION EXP | 9,221,071 |
| 4 | (06) EXP. NUTRITION & PHYSICAL ACTIVITY | <u>603,629</u> |
| 5 | TOTAL AMOUNT APPROPRIATED | <u>\$14,702,255</u> |

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 7 SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
 9 RESTRICTIONS. The appropriations provided in this act shall not be
 10 transferred under the provisions of Arkansas Code 19-4-513, but only as
 11 provided by this act.

12 The provisions of this section shall be in effect only from July 1, ~~2025~~
 13 2026 through June 30, ~~2026~~ 2027.

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 15 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFERS
 17 OF APPROPRIATIONS. In the event the amount of any of the budget
 18 classifications of maintenance and general operation in this act are found by
 19 the administrative head of the agency to be inadequate, then the agency head
 20 may request, upon forms provided for such purpose by the Chief Fiscal Officer
 21 of the State, a modification of the amounts of the budget classification. In
 22 that event, he shall set out on the forms the particular classifications for
 23 which he is requesting an increase or decrease, the amounts thereof, and his
 24 reasons therefor. In no event shall the total amount of the budget exceed
 25 either the amount of the appropriation or the amount of the funds available,
 26 nor shall any transfer be made from the capital outlay or data processing
 27 subclassifications unless specific authority for such transfers is provided
 28 by law, except for transfers from capital outlay to data processing when
 29 determined by the Department of Shared Administrative Services - Office of
 30 State Technology that data processing services for a state agency can be
 31 performed on a more cost-efficient basis by the Department of Shared
 32 Administrative Services - Office of State Technology than through the
 33 purchase of data processing equipment by that state agency. In considering
 34 the proposed modification as prepared and submitted by each state agency, the
 35 Chief Fiscal Officer of the State shall make such studies as he deems
 36 necessary. The Chief Fiscal Officer of the State shall, after obtaining the

1 approval of the Legislative Council, approve the requested transfer if in his
2 opinion it is in the best interest of the state.

3 The General Assembly has determined that the agency in this act could be
4 operated more efficiently if some flexibility is given to that agency and
5 that flexibility is being accomplished by providing authority to transfer
6 between certain items of appropriation made by this act. Since the General
7 Assembly has granted the agency broad powers under the transfer of
8 appropriations, it is both necessary and appropriate that the General
9 Assembly maintain oversight of the utilization of the transfers by requiring
10 prior approval of the Legislative Council in the utilization of the transfer
11 authority. Therefore, the requirement of approval by the Legislative Council
12 is not a severable part of this section. If the requirement of approval by
13 the Legislative Council is ruled unconstitutional by a court of competent
14 jurisdiction, this entire section is void.

15 The provisions of this section shall be in effect only from July 1, ~~2025~~
16 2026 through June 30, ~~2026~~ 2027.

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18 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
20 POSITIONS. (a) Nothing in this act shall be construed as a commitment of the
21 State of Arkansas or any of its agencies or institutions to continue funding
22 any position paid from the proceeds of the Tobacco Settlement in the event
23 that Tobacco Settlement funds are not sufficient to finance the position.
24 (b) State funds will not be used to replace Tobacco Settlement funds when
25 such funds expire, unless appropriated by the General Assembly and authorized
26 by the Governor.
27 (c) A disclosure of the language contained in (a) and (b) of this Section
28 shall be made available to all new hire and current positions paid from the
29 proceeds of the Tobacco Settlement by the Tobacco Settlement Commission.
30 (d) Whenever applicable the information contained in (a) and (b) of this
31 section shall be included in the employee handbook and/or Professional
32 Services Contract paid from the proceeds of the Tobacco Settlement.

33 The provisions of this section shall be in effect only from July 1, ~~2025~~
34 2026 through June 30, ~~2026~~ 2027.

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36 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TOBACCO
2 FUND TRANSFER. The Arkansas Department of Health is authorized to transfer
3 five hundred thousand dollars (\$500,000) for the fiscal year ending June 30,
4 ~~2026~~ 2027 from the Prevention and Cessation Program Account to the Breast
5 Cancer Control Fund in order to provide for the State's matching share for
6 Medicaid services provided for breast and cervical cancer screening and
7 treatment. The amount transferred annually shall be the only obligation of
8 the Arkansas Department of Health for state match for these services.

9 The provisions of this section shall be in effect only from July 1, ~~2025~~
10 2026 through June 30, ~~2026~~ 2027.

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12 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
13 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
14 COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act
15 shall be limited to the appropriation for such agency and funds made
16 available by law for the support of such appropriations; and the restrictions
17 of the State Purchasing Law, the General Accounting and Budgetary Procedures
18 Law, the Regular Salary Procedures and Restrictions Act, or their successors,
19 and other fiscal control laws of this State, where applicable, and
20 regulations promulgated by the Department of Finance and Administration, as
21 authorized by law, shall be strictly complied with in disbursement of said
22 funds.

23 The provisions of this section shall be in effect only from July 1, ~~2025~~
24 2026 through June 30, ~~2026~~ 2027.

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26 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
28 LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds
29 disbursed under the authority of the appropriation contained in this act
30 shall be in compliance with the stated reasons for which this act was
31 adopted, as evidenced by Initiated Act 1 of 2000, the Agency Requests,
32 Executive Recommendations and Legislative Recommendations contained in the
33 budget manuals prepared by the Department of Finance and Administration,
34 letters, or summarized oral testimony in the official minutes of the Arkansas
35 Legislative Council or Joint Budget Committee which relate to its passage and
36 adoption.

1 The provisions of this section shall be in effect only from July 1, ~~2025~~
2 2026 through June 30, ~~2026~~ 2027.

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4 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the
5 General Assembly, that the Constitution of the State of Arkansas prohibits
6 the appropriation of funds for more than a one (1) year period; that the
7 effectiveness of this Act on July 1, 2026 is essential to the operation of
8 the agency for which the appropriations in this Act are provided, and that in
9 the event of an extension of the legislative session, the delay in the
10 effective date of this Act beyond July 1, 2026 could work irreparable harm
11 upon the proper administration and provision of essential governmental
12 programs. Therefore, an emergency is hereby declared to exist and this Act
13 being necessary for the immediate preservation of the public peace, health
14 and safety shall be in full force and effect from and after July 1, 2026.

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