

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

# A Bill

HOUSE BILL 1028

5 By: Representatives Love, Hodges  
6

## For An Act To Be Entitled

8 AN ACT CONCERNING THE TRANSFER OF GENERAL REVENUE  
9 RELATED TO SALARY SAVINGS; TO CREATE A SALARY SAVINGS  
10 FUND; TO USE THE SALARY SAVINGS FUND TO FUND COST-OF-  
11 LIVING ADJUSTMENTS AND TWENTY-SEVENTH PAY PERIODS FOR  
12 PUBLIC EMPLOYEES; TO DECLARE AN EMERGENCY; AND FOR  
13 OTHER PURPOSES.  
14

## Subtitle

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16 CONCERNING THE TRANSFER OF GENERAL  
17 REVENUE RELATED TO SALARY SAVINGS; TO  
18 CREATE A SALARY SAVINGS FUND; TO USE THE  
19 SALARY SAVINGS FUND FOR COST-OF-LIVING  
20 ADJUSTMENTS AND TWENTY-SEVENTH PAY  
21 PERIODS; AND TO DECLARE AN EMERGENCY.  
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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27 SECTION 1. Arkansas Code Title 19, Chapter 5, Subchapter 12 is amended  
28 to add an additional section to read as follows:

29 19-5-1249. Salary Savings Fund.

30 (a) There is created on the books of the Treasurer of State, the  
31 Auditor of State, and the Chief Fiscal Officer of the State a miscellaneous  
32 fund to be known as the "Salary Savings Fund".

33 (b) The fund shall consist of salary savings under § 19-6-202 and any  
34 other moneys as may be provided by law.

35 (c) The fund shall be used to fund one (1) or more of the following  
36 for public employees:



- 1           (1) A cost-of-living adjustment; and
- 2           (2) A twenty-seventh pay period.

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4           SECTION 2. Arkansas Code Title 19, Chapter 6, Subchapter 2 is amended  
5 to add an additional section to read as follows:

6           19-6-202. General revenue transfer of salary savings.

7           (a) If a state agency, board, commission, or institution of higher  
8 education has a regular salary position funded by general revenue in whole or  
9 in part that is budgeted but not occupied during any portion of a quarter  
10 period of a fiscal year:

11           (1) At the end of each quarter period of each fiscal year, the  
12 director of each state agency, board, or commission and each president or  
13 chancellor of an institution of higher education shall certify to the Chief  
14 Fiscal Officer of the State the total amount of general revenue budgeted for  
15 each regular salary position for the time the position was not occupied minus  
16 the amount of any general revenue budgeted for an unfilled position for the  
17 purposes of the state contribution for health insurance; and

18           (2) No later than fifteen (15) days after the end of each fiscal  
19 year quarter period or as soon thereafter as is practical, the Chief Fiscal  
20 Officer of the State shall:

21           (A) Verify the amount of general revenue certified by the  
22 agency, board, commission, or institution of higher education under  
23 subdivision (a)(1) of this section; and

24           (B) Transfer on his or her books and those of the  
25 Treasurer of State and Auditor of State from each applicable fund or fund  
26 account the amount of general revenue verified under subdivision (a)(2)(A) of  
27 this section to the Salary Savings Fund.

28           (b) The Chief Fiscal Officer of the State shall submit a quarterly  
29 report to the Legislative Council or the Joint Budget Committee that includes  
30 the amount transferred from each agency, board, commission, or institution of  
31 higher education to the Salary Savings Fund and any other information  
32 requested by the Legislative Council regarding the implementation of this  
33 section.

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35           SECTION 3. EMERGENCY CLAUSE. It is found and determined by the  
36 General Assembly of the State of Arkansas that due to the economic downturn

1 and the need to fund essential programs and pay plan issues, the state needs  
2 to look at all available funding sources; that salary savings would be better  
3 used to fund cost-of-living adjustments and twenty-seventh pay periods for  
4 public employees; and that this act is necessary to ensure the continued and  
5 efficient operations of the state. Therefore, an emergency is declared to  
6 exist, and this act being necessary for the preservation of the public peace,  
7 health, and safety shall become effective on July 1, 2013.

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