

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

HOUSE BILL 1833

5 By: Representative K. Hendren
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE USE OF REVENUES UNDER THE REVENUE
9 STABILIZATION LAW; TO AMEND THE TRANSFER OF REMAINING
10 GENERAL REVENUES AVAILABLE FOR DISTRIBUTION; TO AMEND
11 THE GENERAL IMPROVEMENT FUND; TO DECLARE AN
12 EMERGENCY; AND FOR OTHER PURPOSES.
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Subtitle

15 TO AMEND THE TRANSFER OF REMAINING
16 GENERAL REVENUES AVAILABLE FOR
17 DISTRIBUTION; TO AMEND THE GENERAL
18 IMPROVEMENT FUND; AND TO DECLARE AN
19 EMERGENCY.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code § 19-5-406 is amended to read as follows:
26 19-5-406. Transfer of remaining revenues.

27 After making the maximum annual allocation as provided for in § 19-5-
28 402+,

29 ~~(1) Seventy five percent (75%) of the remaining general revenues~~
30 ~~available for distribution during each fiscal year shall be transferred on~~
31 ~~the last day of business in each calendar month to the General Revenue~~
32 ~~Allotment Reserve Fund, there to be used for the respective purposes as~~
33 ~~provided by law; and~~

34 ~~(2) Twenty five percent (25%) of the remaining general revenues~~
35 ~~available for distribution during each fiscal year shall be transferred on~~
36 ~~the last day of business in each calendar month to the Arkansas Highway~~



1 ~~Transfer Fund.~~

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 3 SECTION 2. Arkansas Code § 19-5-1005 is amended to read as follows:
 4 19-5-1005. General Improvement Fund.

5 (a) There is established on the books of the Treasurer of State, the
 6 Auditor of State, and the Chief Fiscal Officer of the State a fund to be
 7 known as the "General Improvement Fund".

8 (b) The ~~fund~~ General Improvement Fund shall consist of ~~those~~:

9 (1) Any funds made available by the General Assembly;

10 (2) Upon certification of the amounts by the Chief Fiscal
 11 Officer of the State, the following funds that the Treasurer of State shall
 12 transfer and credit to the General Improvement Fund:

13 (A) All unobligated and unallocated moneys remaining in
 14 the General Improvement Fund on June 30 of each fiscal year that are not
 15 required to finance projects authorized by a previous General Assembly and
 16 that have not been reappropriated or reallocated for financing from the
 17 General Improvement Fund by the General Assembly;

18 (B) Any unobligated or unallocated funds remaining on July
 19 2 of each fiscal year, including without limitation all general revenue funds
 20 recovered from remaining fund balances in the General Revenue Allotment
 21 Reserve Fund from moneys accruing to the General Revenue Allotment Reserve
 22 Fund that are not required to finance enactments of the General Assembly;

23 (C) Those special revenues specified in § 19-6-301(171)
 24 and any other funds made available by the General Assembly from time to time;

25 (D) Any available balance remaining in the 90th Session
 26 Projects Account of the General Improvement Fund from funds made available
 27 for Rainy Day Set-Aside; and

28 (E) Any funds provided by the Attorney General from the
 29 Attorney General's Consumer Education and Enforcement Account, received by
 30 the state through settlement agreements or as designated by court order.

31 (c)(1) The ~~fund~~ General Improvement Fund shall be used to provide
 32 financing of various projects authorized by the General Assembly ~~and to make~~
 33 ~~temporary loans to funds receiving general revenue as set out in § 19-5-302.~~

34 (2) Each biennium, the Treasurer of State shall make monthly
 35 allocations from the General Improvement Fund as follows for projects
 36 authorized in the General Improvement Distribution Act for that biennium:

1 (A)(i) Fifty percent (50%) to the Executive Discretionary
 2 Division to be used for any project or portion of a project enumerated in the
 3 Executive Discretionary Division not exceeding the authorized amount for the
 4 project.

5 (ii) The Chief Fiscal Officer of the State shall
 6 notify the Legislative Council or, if the General Assembly is in session, the
 7 Joint Budget Committee, of funds the Governor releases under this subsection
 8 at the same time that the Department of Finance and Administration is
 9 notified;

10 (B)(i) Twenty-five percent (25%) to the Legislative Senate
 11 Division to provide funds for the projects enumerated in the Legislative
 12 Senate Division in the proportion that each project's allocation bears to the
 13 total allocations for all projects enumerated.

14 (ii) Each senator shall be allocated an equal amount
 15 of the funds allocated to the Legislative Senate Division under this
 16 subsection; and

17 (C)(i) Twenty-five percent (25%) to the Legislative House
 18 Division to provide funds for the projects enumerated in the Legislative
 19 House Division in the proportion that each project's allocation bears to the
 20 total allocations for all projects enumerated.

21 (ii) Each representative shall be allocated an equal
 22 amount of the funds allocated to the Legislative House Division under this
 23 subsection.

24 (3) By May 1 of the second year of the biennium, each member of
 25 the General Assembly shall make available to the Legislative Council or, if
 26 the General Assembly is in session, the Joint Budget Committee:

27 (A) A list of each project funded by the member under this
 28 subsection;

29 (B) The amount of funds provided to each project under
 30 this subsection; and

31 (C) The purpose of each project that received funds under
 32 this subsection.

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 34 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
 35 General Assembly of the State of Arkansas that the effectiveness of this act
 36 on June 30, 2017, is essential to the operation of the government and the

1 proper allocation of general revenues; and that the delay in the effective
2 date of this act beyond June 30, 2017, could work irreparable harm upon the
3 proper administration and provision of essential governmental programs.
4 Therefore, an emergency is declared to exist, and this act being necessary
5 for the preservation of the public peace, health, and safety shall be in full
6 force and effect from and after June 30, 2017.

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