

1 State of Arkansas
2 93rd General Assembly
3 Third Extraordinary Session, 2022
4

Call Item 2

A Bill

HOUSE BILL 1005

5 By: Representatives Murdock, F. Allen, Clowney, A. Collins, Ennett, D. Ferguson, K. Ferguson, Fielding,
6 V. Flowers, D. Garner, Godfrey, M. Hodges, Hudson, Love, Magie, McCullough, Nicks, Perry,
7 Richardson, Scott, Springer
8 By: Senators C. Tucker, L. Chesterfield, Elliott, S. Flowers, K. Ingram, G. Leding, Teague
9

For An Act To Be Entitled

11 AN ACT TO MAKE AN APPROPRIATION FOR THE PUBLIC SCHOOL
12 DISTRICT CLASSIFIED STAFF RETENTION AND RECRUITMENT
13 PROGRAM FOR THE DEPARTMENT OF EDUCATION - DIVISION OF
14 ELEMENTARY AND SECONDARY EDUCATION FOR THE FISCAL
15 YEAR ENDING JUNE 30, 2023; AND FOR OTHER PURPOSES.
16
17

Subtitle

19 AN ACT FOR THE DEPARTMENT OF EDUCATION -
20 DIVISION OF ELEMENTARY AND SECONDARY
21 EDUCATION - PUBLIC SCHOOL DISTRICT
22 CLASSIFIED STAFF RETENTION AND
23 RECRUITMENT PROGRAM APPROPRIATION
24 FOR THE 2022-2023 FISCAL YEAR.
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27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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29 SECTION 1. APPROPRIATION - PUBLIC SCHOOL DISTRICT CLASSIFIED STAFF
30 RETENTION AND RECRUITMENT PROGRAM. There is hereby appropriated, to the
31 Department of Education - Division of Elementary and Secondary Education, to
32 be payable from the Division of Elementary and Secondary Education Public
33 School Fund Account for the Public School District Classified Staff Retention
34 and Recruitment Program for providing additional funding to public school
35 districts in order to provide bonuses for classified staff by the Department
36 of Education - Division of Elementary and Secondary Education for the fiscal



1 year ending June 30, 2023, the following:

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3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2022-2023</u>
5 (01) PUBLIC SCHOOL DISTRICT CLASSIFIED	
6 STAFF RETENTION AND RECRUITMENT PROGRAM	<u>\$250,000,000</u>

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8 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING
 10 TRANSFER. Immediately upon the effective date of this act the Chief Fiscal
 11 Officer of the State shall transfer on his or her books and those of the
 12 State Treasurer and the Auditor of State, a sum of two hundred fifty million
 13 dollars (\$250,000,000) from the General Revenue Allotment Reserve Fund to a
 14 new Public School District Classified Staff Retention and Recruitment Program
 15 sub-fund in the Educational Adequacy Fund, there to be used exclusively for
 16 the purpose of distributing grants and aid to local public school districts
 17 by the Department of Education for the Public School District Classified
 18 Staff Retention and Recruitment Program.

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20 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 21 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PUBLIC
 22 SCHOOL DISTRICT CLASSIFIED STAFF RETENTION AND RECRUITMENT PROGRAM.

23 (i) Upon the effective date of this act, and as needed from time to time
 24 thereafter as determined by the Department of Education, the Arkansas State
 25 Treasurer shall transfer funds as they are available from the Educational
 26 Adequacy Fund - Public School District Classified Staff Retention and
 27 Recruitment Program sub-fund to the Division of Elementary and Secondary
 28 Education Public School Fund Account to be used solely for the implementation
 29 of the Public School District Classified Staff Retention and Recruitment
 30 Program.

31 (ii) Funds in the Public School District Classified Staff Retention and
 32 Recruitment Program sub-fund shall be kept separate from all other monies in
 33 the Educational Adequacy Fund and shall be utilized by the Department of
 34 Education to provide grants and aid to assist public school districts in
 35 ensuring that all classified staff working in Arkansas public schools receive
 36 a bonus of two thousand five hundred dollars (\$2,500) per year for Fiscal

1 Year 2023, Fiscal Year 2024, and Fiscal Year 2025 from the Public School
 2 District Classified Staff Retention and Recruitment Program sub-fund. Any
 3 unallocated and unexpended funds at the end of Fiscal Year 2025 shall be
 4 recouped into the General Revenue Allotment Reserve Fund.

5 (iii) The Public School District Classified Staff Retention and Recruitment
 6 Program sub-fund shall not be considered part of a public school district's
 7 net legal balance or net legal balance revenues as those terms are defined in
 8 Arkansas Code § 6-20-2210 for the purpose of meeting the requirements on
 9 limitation of fund balances pursuant to Arkansas Code § 6-20-2210.

10 (iv) The Arkansas Department of Education shall promulgate rules to
 11 administer this section.

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 13 SECTION 4. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
 14 authorized by this act shall be limited to the appropriation for such agency
 15 and funds made available by law for the support of such appropriations; and
 16 the restrictions of the State Procurement Law, the General Accounting and
 17 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 18 Procedures and Restrictions Act, or their successors, and other fiscal
 19 control laws of this State, where applicable, and regulations promulgated by
 20 the Department of Finance and Administration, as authorized by law, shall be
 21 strictly complied with in disbursement of said funds.

22
 23 SECTION 5. LEGISLATIVE INTENT. It is the intent of the General
 24 Assembly that any funds disbursed under the authority of the appropriations
 25 contained in this act shall be in compliance with the stated reasons for
 26 which this act was adopted, as evidenced by the Agency Requests, Executive
 27 Recommendations and Legislative Recommendations contained in the budget
 28 manuals prepared by the Department of Finance and Administration, letters, or
 29 summarized oral testimony in the official minutes of the Arkansas Legislative
 30 Council or Joint Budget Committee which relate to its passage and adoption.

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 32 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the General
 33 Assembly of the State of Arkansas that the retention of public school
 34 district classified staff and providing appropriate compensation to those
 35 staff is of the utmost importance to the public peace, health, and safety of
 36 the state of Arkansas; that the funds designated to assist public school

1 districts in retaining public school district classified staff should be made
 2 available immediately; and that this act is immediately necessary to
 3 providing immediate bonuses to classified staff in public school districts
 4 for retention and recruitment purposes. Therefore, an emergency is declared
 5 to exist, and this act being immediately necessary for the preservation of
 6 the public peace, health, and safety shall become effective on:

7 (1) The date of its approval by the Governor;

8 (2) If this bill is neither approved nor vetoed by the Governor, the
 9 expiration of the period of time during which the Governor may veto the bill;
 10 or

11 (3) If the bill is vetoed by the Governor and the veto is overridden,
 12 the date the last house overrides the veto.

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