

2023 - 2025 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

0470 DTSS - Information Systems Division

ACT#: 46

SECTION#: 5

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

COMPLIANCE WITH STATE AND FEDERAL REGULATIONS.

AGENCY REQUEST

1. In order to effect compliance with the requirements of state and federal statutory and regulatory provisions, the Director shall adjust billing rates or issue billing adjustments to be federally compliant, notwithstanding the provisions of ACA §25-4-105 and §25-4-119 or funds sufficient to effect compliance shall be provided the Division from General Revenues, Special Revenues or such other fund sources as may become available. These actions shall be subject to the approval of the Chief Fiscal Officer of the State and approval by the Arkansas Legislative Council or Joint Budget Committee.

2. The Director shall have authority to transfer funds between the Information Technology Reserve Fund established by ACA §25-4-123 and the Division of Information Systems Revolving Fund established by ACA §25-4-121 for cash management purposes.

Determining the maximum number of employees and the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Division of Information Systems may operate more efficiently if some flexibility is provided to the Division of Information Systems authorizing broad powers under this section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the

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EXECUTIVE RECOMMENDATION

Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

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SECTION#: 6

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE - CODE AMENDMENT. Arkansas Code Title 25, Chapter 4, is amended to add an additional section to codify special language in appropriation acts to read as follows:

AGENCY REQUEST

25-4-129. Gifts, grants, and donations - Reports.

(a) The Director of the Division of Information Systems may accept on behalf of the Division of Information Systems funds from any source, including but not limited to:

- (1) Special revenue;
- (2) General revenue;
- (3) Gifts;
- (4) Grants;
- (5) Cash;
- (6) Bequests;
- (7) Devices;
- (8) Donations;
- (9) Real property;
- (10) Personal property; and
- (11) Equipment.

(b) The division shall file with the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee, a quarterly report summarizing all funds received under subsection (a) of this section.

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SECTION#: 7

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER PROVISION - LINE ITEMS - DIVISION OF INFORMATION SYSTEMS - OPERATIONS. After receiving approval from the Chief Fiscal Officer of the State and prior review by the Arkansas Legislative Council or Joint Budget Committee, the Secretary of the Department of Transformation and Shared Services is authorized to transfer appropriation between the line items authorized herein for the Division of Information Systems - Operations to best utilize resources to respond to the needs of the Division's customers.

The provisions of this section shall be in effect only from July 1, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

AGENCY REQUEST