

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**

A Bill

ACT 438 OF 1995
SENATE BILL 353

4 **By: Senators Walker, Dowd, Keet, Jeffries, Wilson, and Walters**

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For An Act To Be Entitled

8 "AN ACT TO AMEND TITLE 14, SUBTITLE 22, CHAPTER 356 OF THE
9 ARKANSAS CODE FOR THE PURPOSE OF DECLARING THAT AIRPORTS
10 OWNED BY MUNICIPALITIES, COUNTIES, OR OTHER PUBLIC
11 AGENCIES ARE USED EXCLUSIVELY FOR PUBLIC PURPOSES AND
12 THEREFORE EXEMPT FROM AD VALOREM TAXATION; DECLARING AN
13 EMERGENCY; AND FOR OTHER PURPOSES."

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15

Subtitle

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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. Arkansas Code, title 14, subtitle 22, chapter 356, is
22 amended by adding the following section:

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"14-356-102. Use - Exclusively Public.

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(a) The ownership, operation, and management of municipal airports,
25 county airports, municipal airports operated pursuant to the Airport
26 Commission Act, Ark. Code §§ 14-359-101 - 14-359-120, airports in border
27 municipalities operated pursuant to the Municipal Airports Act, Ark. Code §§
28 14-361-101 - 14-361-124, and regional airports operated pursuant to the
29 Regional Airport Act, Ark. Code §§ 14-362-101 - 14-362-129, and their related
30 properties and facilities, including without limitation runways, hangars,
31 terminal facilities, and suitable areas or space which are made available to
32 those who are willing and otherwise qualified to offer transportation services
33 to the public or support services to aircraft operators, all as may be
34 necessary or desirable for the servicing of aircraft in commercial or general
35 aviation or for the comfort and accommodation of air travelers traveling in
36 commercial or general aviation, are vital to the economic welfare of the state

1 of Arkansas and its people and such airports and their related properties and
2 facilities are declared and confirmed to be used exclusively for public
3 purposes.

4 (b) All airport property and related properties and facilities owned by
5 a municipality, county, or other public agency for the purposes enumerated in
6 this section are declared to be acquired and used exclusively for public and
7 governmental purposes and as a matter of public necessity and shall be exempt
8 from ad valorem taxation to the same extent as other property used exclusively
9 for public purposes."

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11 SECTION 2. All provisions of this act of a general and permanent nature
12 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
13 Revision Commission shall incorporate the same in the Code.

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15 SECTION 3. If any provision of this act or the application thereof to
16 any person or circumstance is held invalid, such invalidity shall not affect
17 other provisions or applications of the act which can be given effect without
18 the invalid provision or application, and to this end the provisions of this
19 act are declared to be severable.

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21 SECTION 4. All laws and parts of laws in conflict with this act are
22 hereby repealed.

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24 SECTION 5. EMERGENCY. It is hereby found and determined by the General
25 Assembly that there is urgent need to clarify current law relating to the use
26 of airports owned and operated by municipalities, counties, and other public
27 agencies as being exclusively public and relating to the exemption from ad
28 valorem taxation of such airport property, and that the provisions of this act
29 are designed to accomplish these purposes and are immediately needed.

30 Therefore, an emergency is hereby declared to exist and this act being
31 necessary for the immediate preservation of the public peace, health and
32 safety shall be in full force and effect from and after its passage and
33 approval.

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APPROVED: 2-24-95

