1 State of Arkansas

2 83rd General Assembly

3 Regular Session, 2001

A Bill

Act 1539 of 2001

HOUSE BILL 1320

4

5 By: Representative R. Smith

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8 ## For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE 24-11-302 AND 24-11-810

10 TO REQUIRE THE MOVEMENT OF POLICE AND FIRE DEPARTMENT

11 BOUNDARIES TO MATCH PHYSICAL FEATURE DESCRIPTIONS IN

12 THE DISTRIBUTION OF INSURANCE PREMIUM TAXES FOR LOCAL

13 POLICE AND FIRE PENSION AND RELIEF FUNDS; AND FOR

14 OTHER PURPOSES.

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16 ## Subtitle

17 TO MOVE THE BOUNDARIES OF POLICE AND

18 FIRE DEPARTMENTS TO MATCH PHYSICAL

19 FEATURES IN THE DISTRIBUTION OF

20 INSURANCE PREMIUM TAXES FOR POLICE AND

21 FIRE PENSION FUNDS.

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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 24-11-302(c)(1), concerning the qualifications

28 for cities and towns to participate in the insurance premium tax distributions

29 for pension funds, is amended to read as follows:

30 (c)(1) The revenues collected pursuant to §§ 23-60-102, 24-11-301, 24-

31 11-302, 26-57-601 - 26-57-605, and 26-57-607 and distribution in accordance

32 with this section shall be allocated to each qualified city or town in a

33 proportion determined by evaluation of the following factors:

34 (A) The legal description of the metes and bounds of the

35 city or town. The legal description shall be based on standard ~~visible~~

36 <u>physical</u> features of the area. If the legal description cannot be based on

1   standard ~~visible~~ physical features, a Global Positioning System survey shall
2   be conducted to determine the boundaries;
3   (B)   The preferred description of the area will be based on
4   standard physical features. Each local department shall change their
5   description of metes and bounds to the standard physical features'
6   description; and
7   ~~(B)~~(C)   A census population assessment in the city or town.
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9   SECTION 2.   Arkansas Code 24-11-810(a)(3), concerning the apportionment
10   of the insurance premium taxes for pension funds, is amended to read as
11   follows:
12   (3)   The revenues collected pursuant to §§ 23-60-102, 24-11-809,
13   26-57-601 - 26-57-605, and 26-57-607 and distribution in accordance with
14   subsection (a) of this section shall be allocated to each qualified city,
15   town, or fire protection district in a proportion determined by evaluation of
16   the following factors:
17   (A)   The legal description of the metes and bounds of the
18   city, town, or fire protection district. The legal description shall be based
19   on standard ~~visible~~ physical features of the area. If the legal description
20   cannot be based on standard ~~visible~~ physical features, a Global Positioning
21   System survey shall be conducted to determine the boundaries;
22   (B)   The preferred description of the area will be based on
23   standard physical features. Each local department shall change the
24   department's description of metes and bounds to the standard physical
25   features' description. If the local chief cannot agree on a standard physical
26   features' description, the county quorum court will make the decision; and
27   ~~(B)~~(C)   A census population assessment in the city, town, or
28   fire protection district.
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30   SECTION 3.   [THE ARKANSAS CODE REVISION COMMISSION IS NOT REQUIRED TO
31   CODIFY THIS SECTION.] No benefit enhancement provided for by this act shall
32   be implemented if it would cause the publicly supported retirement system's
33   unfunded actuarial accrued liabilities to exceed a thirty (30) year
34   amortization. No benefit enhancement provided for by this act shall be
35   implemented by any publicly supported system which has unfunded actuarial
36   accrued liabilities being amortized over a period exceeding thirty (30) years

1   until the unfunded actuarial accrued liability is reduced to a level less than

2   the standards prescribed by Arkansas Code, Title 24.

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5   **APPROVED: 4/12/2001**

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