1   State of Arkansas

2   84th General Assembly

3   Regular Session, 2003

A Bill

Act 1191 of 2003

SENATE BILL   771

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5   By: Senator Salmon

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8   ### For An Act To Be Entitled

9   AN ACT TO REPEAL ARKANSAS CODE § 26-77-101

10   CONCERNING PENALTIES FOR VIOLATING THE PROVISIONS

11   REGARDING MUNICIPAL OCCUPATIONAL TAXES AND

12   LICENSES; AND FOR OTHER PURPOSES.

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14   ### Subtitle

15   AN ACT TO REPEAL ARKANSAS CODE § 26-77-

16   101.

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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 Arkansas Code § 26-77-101 is repealed.

22   26-77-101. Penalty.

23   In fixing the amount of penalty for the violation of any of the

24 provisions of this chapter, the city council, board of commissioners, or the

25 board of aldermen of any city or town shall not have the right to place the

26 amount for the penalty in excess of double the amount of the license fee

27 provided, together with the costs necessary for the collection of it.

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29   SECTION 2. EMERGENCY CLAUSE. It is found and determined by the

30 General Assembly of the State of Arkansas that § 26-77-101 inhibits the

31 ability of local governments to enforce laws requiring business licenses; and

32 that this act is immediately necessary because business licenses play an

33 important role in allowing local governments to enforce zoning and other

34 local regulations. Therefore, an emergency is declared to exist and this act

35 being immediately necessary for the preservation of the public peace, health,

36 and safety shall become effective on:

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

2   (2)   If the bill is neither approved nor vetoed by the Governor,

3   the expiration of the period of time during which the Governor may veto the

4   bill; or

5   (3)   If the bill is vetoed by the Governor and the veto is

6   overridden, the date the last house overrides the veto.

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9   APPROVED: 4/9/2003
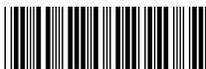
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