

ARKANSAS SENATE
84th General Assembly - Regular Session, 2003
Amendment Form

Subtitle of Senate Bill No. 743

"TO ENHANCE OUR CITIZENS' ACCESS TO COURTS TO ADDRESS ILLEGAL
EXACTION BY THE GOVERNMENT AND TO HELP ASSURE THE PROPER USE OF
PUBLIC RESOURCES."

Amendment No. 2 to Senate Bill No. 743.

Amend Senate Bill No. 743 as engrossed, S3/17/03:

Page 2, delete lines 3 through 15 and substitute the following:

"(c)(1) Reasonable attorney's fees shall be awarded if a meritorious action brought by a taxpayer under Article 16, § 13 of the Arkansas Constitution results in:

(A) The recovery of public property for the substantial benefit of taxpayers of a county, city, or town;

(B) A court of final jurisdiction issuing an injunction enjoining the expenditure or misapplication of county, city, or town funds;
or

(C) A declaration by a court of final jurisdiction that a local ordinance is unconstitutional, and no refund of taxes is ordered by the court.

(2) Time spent and other factors established by common law shall be considered to determine the reasonableness and adequacy of an award of attorneys' fees under the facts of each particular case."



The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Madison
LDH/MHF - 032120030921
MHF451

Secretary