

ARKANSAS SENATE

84th General Assembly - Second Extraordinary Session, 2003 Amendment Form

Subtitle of House Bill No. 1162

"TO INCREASE THE UNIFORM RATE OF AD VALOREM PROPERTY TAX BY THREE (3) MILLS SUBJECT TO THE APPROVAL OF THE VOTERS IN THIS STATE TO BE USED SOLELY FOR MAINTENANCE AND OPERATION OF PUBLIC SCHOOLS."

Amendment No. 1 to House Bill No. 1162.

Amend House Bill No. 1162 as engrossed, H2/2/04 (version: 02-02-2004 14:24):

Delete section 4 of the bill in its entirety and substitute the following:

SECTION 4. Election.

(a) Findings. The uniform rate of ad valorem property tax established by Arkansas Constitution, Amendment 74(b)(1) may only be increased by a majority of the electors of the state voting on the issue at the next general election and voting "For" the proposed increase in the uniform rate of tax.

(b) Certification of measure. The Secretary of State shall certify to the county board of election commissioners of each county the measure provided in subsection (d) of this section to appear on the ballot at the next general election.

(c) Publication. The measure provided in subsection (d) of this section shall be published in the same manner as provided in Arkansas Code §§ 7-9-113 and 7-5-206.

(d) Ballot title.

(1) The ballot title shall be in the following form:

"TO INCREASE THE ESTABLISHED UNIFORM RATE OF AD VALOREM PROPERTY TAX UNDER AMENDMENT 74(b)(1) OF THE ARKANSAS CONSTITUTION BY THREE (3) MILLS FROM TWENTY-FIVE (25) MILLS TO A TOTAL OF TWENTY-EIGHT (28) MILLS BY AMENDING ARKANSAS CODE TITLE 26, CHAPTER 80, SUBCHAPTER 2 TO ADD A NEW SECTION TO READ AS FOLLOWS:

26-80-208. Uniform rate of ad valorem property tax.

(a)(1) There is established a uniform rate of ad valorem property tax of twenty-eight (28) mills to be levied on the assessed value of all taxable real, personal, and utility property in the state to be used solely for maintenance and operation of the schools.

(2) The established uniform rate of ad valorem property tax of twenty-eight (28) mills is equal to the twenty-five (25) mills levied under Arkansas Constitution, Amendment 74, and an additional three (3) mills levied under this section.

(3)(A) Except as provided in this subdivision (a)(3) the



additional three (3) mills levied under this section shall not be an additional levy for maintenance and operation of the schools but shall replace a portion of the existing rate of tax levied by each school district available for maintenance and operation of schools in the school district. The rate of tax available for maintenance and operation levied by each school district on the effective date of this section shall be reduced to reflect the levy of the uniform rate of tax.

(B)(i) If the rate of tax available for maintenance and operation levied by a school district on the effective date of this section exceeds twenty-eight (28) mills, the excess rate of tax shall continue to be levied by the school district until changed pursuant to Amendment 74 of the Arkansas Constitution.

(ii) If the rate of tax available for maintenance and operation levied by a school district on the effective date of this section is less than twenty-eight (28) mills, the uniform rate of tax of twenty-eight (28) mills shall nevertheless be levied in the district.

(b)(1) This section shall be effective January 1, 2005.

(2) The uniform rate of ad valorem property tax of twenty-eight (28) mills shall apply beginning with the assessment of property in 2004 for which taxes are collected in 2005."

(2) The ballot title shall be followed by these words:

"[] FOR increasing the established uniform rate of ad valorem property tax by three (3) mills from twenty-five (25) mills to a total of twenty-eight (28) mills.

[] AGAINST increasing the established uniform rate of ad valorem property tax by three (3) mills from twenty-five (25) mills to a total of twenty-eight (28) mills."

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

By: Senator Wooldridge
JDF/CDS - 02-04-2004 10:07
CDS717

Secretary