

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Representative Pat Flanagin**

# A Bill

**HOUSE BILL**

## For An Act To Be Entitled

8 "AN ACT TO REPEAL ARKANSAS CODE 27-32-101 THROUGH  
9 27-32-116 PERTAINING TO THE INSPECTION OF MOTOR VEHICLES;  
10 TO AMEND ARKANSAS CODE 27-14-601 TO IMPOSE AN ADDITIONAL  
11 FEE FOR REGISTRATION AND LICENSING OF MOTOR VEHICLES TO  
12 REPLACE THE MOTOR VEHICLE INSPECTION FEE; AND FOR OTHER  
13 PURPOSES."

14  
15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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17 SECTION 1. Arkansas Code 27-14-601 is hereby amended by adding an  
18 additional subsection to read as follows:

19 "(f) In addition to the fee for registration and licensing a motor  
20 vehicle under subsection (a) of this section there is imposed an additional  
21 fee of one dollar and fifty cents (\$1.50) for the registration and licensing  
22 of each motor vehicle. All revenues collected from the additional fee shall  
23 be remitted to the Arkansas Development Finance Authority and deposited to the  
24 credit of the Prison Construction Trust Fund and shall be used in the same  
25 manner as was provided for the vehicle inspection fee under Arkansas Code 27-  
26 32-101 et seq."

27  
28 SECTION 2. Arkansas Code 22-3-1210(a) is hereby amended to read as  
29 follows:

30 "(a) The principal of and interest on the certificates of indebtedness  
31 issued under this subchapter shall be secured solely by a lien on and pledge  
32 of:

33 (1) All revenue derived from the additional fee for licensure and  
34 registration of a motor vehicle pursuant to 27-14-601(f) collected in lieu of  
35 the portion which was allocated from the motor vehicle inspection fee which

1 was levied under Arkansas Code 27-32-101 through 27-32-116 prior to the repeal  
2 of the sections ;

3           (2) All moneys from the sale of or disposition of farm products,  
4 livestock, or other products produced in connection with the agriculture and  
5 livestock activities at any institution under the control of the Board of  
6 Correction or any successor entity, excluding those moneys that may be  
7 accountable from, or the value of, products consumed within the Department of  
8 Correction and from rental of farm properties under the control of the Board  
9 of Correction or any successor entity;

10           (3) All moneys from the sale or disposition of articles and  
11 products manufactured or produced by prison labor through the operations of  
12 the prison industry program, excluding those moneys that may be accountable  
13 from, or the value of, articles and products used or consumed within the  
14 Department of Correction; and

15           (4) Fifty percent (50%) of the gross revenue, if any, derived  
16 from the leasing or renting to tenants, other than state agencies, of space in  
17 any new facility constructed or acquired with proceeds of any certificates  
18 issued under this subchapter."  
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20           SECTION 3. Arkansas Code 22-3-1225 is hereby amended to read as  
21 follows:

22           "22-3-1225. Prison Construction Trust Fund.

23           (a) The Arkansas Development Finance Authority shall establish in its  
24 records a trust fund to be entitled the "Prison Construction Trust Fund". All  
25 moneys derived by or remitted to the authority, from the additional fee for  
26 licensure and registration of a motor vehicle pursuant to 27-14-601(f)  
27 collected in lieu of the portion which was allocated from the motor vehicle  
28 inspection fee which was levied under Arkansas Code 27-32-101 through 27-32-  
29 116 prior to the repeal of the sections shall be deposited to the credit of  
30 the Prison Construction Trust Fund. The moneys in the Prison Construction  
31 Trust Fund shall not be general funds or revenues of the authority and shall  
32 not be subject to the claims of the general creditors of the authority.

33           (b) The Arkansas Development Finance Authority shall pay from the  
34 Prison Construction Trust Fund into the Public Facilities Debt Service Fund  
35 created by §§19-5-932 and 22-3-1210 the amount necessary, when added to other

1 funds listed in §22-3-1210, to pay the next succeeding principal and interest  
2 payment for the certificates of indebtedness, but not to exceed twenty-five  
3 cents (25¢) times the number of motor vehicle registrations and renewals  
4 issued by the Department of Finance and Administration Revenue Division in  
5 each six-month period. Such payments shall be made by the authority  
6 semiannually two (2) business days prior to each July 1 and January 1 so long  
7 as the certificates of indebtedness permitted by the Public Facilities Finance  
8 Act of 1983 are outstanding. All such payments by the authority to the Public  
9 Facilities Debt Service Fund shall cease when the certificates of indebtedness  
10 have been paid or redeemed.

11 (c) All other funds in the Prison Construction Trust Fund shall be  
12 segregated, held, and used by the Arkansas Development Finance Authority  
13 solely to fund, or to provide for the funding of, the construction and  
14 equipping of:

15 (1) Correction or prison facilities to be used by the Arkansas  
16 Department of Correction;

17 (2) Regional jail facilities operated by the Arkansas Department  
18 of Correction; or

19 (3) Regional jail facilities operated jointly by cities,  
20 counties, or regional jail commissions.

21 (d) The Arkansas Development Finance Authority shall be authorized to  
22 fund or to provide for the funding of facilities described in subdivisions  
23 (c)(1)-(3) of this section by loans, leases, other contracts, or the issuance  
24 of bonds all in accordance with the provisions of the Arkansas Development  
25 Finance Authority Act, §15-5-101 et seq., and to pledge the cash funds  
26 collected by it from the additional fee for licensure and registration of a  
27 motor vehicle pursuant to 27-14-601(f) collected in lieu of the portion which  
28 was allocated from the motor vehicle inspection fee which was levied under  
29 Arkansas Code 27-32-101 through 27-32-116 prior to the repeal of the sections  
30 and deposited in the Prison Construction Trust Fund, after payment of the  
31 amounts as specified in subsection (b) of this section to the repayment of any  
32 loans, leases, contracts, or bonds.

33 (e) The Arkansas Development Finance Authority shall not fund or  
34 provide for the funding of any facility described in subsection (c) of this  
35 section to be operated or utilized by the Arkansas Department of Correction

1 unless the project, the plans therefor, and the construction thereof have been  
2 reviewed and approved by the Arkansas State Building Services. The authority  
3 shall not fund or provide for the funding of any other regional jail facility  
4 not utilized by the Arkansas Department of Correction unless such project is  
5 in compliance with the minimum standards for jail facilities adopted by the  
6 state."

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8 SECTION 4. Arkansas Code Sections 27-32-101 through 27-32-116,  
9 pertaining to the inspection of motor vehicles, are hereby repealed.

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11 SECTION 5. 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 6. 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 7. All laws and parts of laws in conflict with this act are  
22 hereby repealed.

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