

1 **State of Arkansas**

2 **79th General Assembly**

3 **Regular Session, 1993**

4 **By: Senators Beebe, Bookout, Harriman, and Malone**

5

6

7

## **For An Act To Be Entitled**

8 "AN ACT TO PERMIT LOCAL OPTION SALES AND USE TAXES TO BE  
9 DEDICATED TO A SCHOOL DISTRICT OR DISTRICTS LOCATED WHOLLY  
10 OR PARTIALLY WITHIN A CITY OR COUNTY WHENEVER THE SCHOOL  
11 DISTRICT\_S PROJECTED CURRENT YEAR EXPENSE PER CHILD IS  
12 LESS THAN THE STATE AVERAGE PROJECTED CURRENT YEAR EXPENSE  
13 PER CHILD; AND FOR OTHER PURPOSES."

14

15

### **Subtitle**

16 "TO PERMIT LOCAL OPTION SALES AND USE TAXES TO BE  
17 DEDICATED TO A SCHOOL DISTRICT."

18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20

21 SECTION 1. When a city or county calls an election on the issue of a  
22 sales and use tax it may designate on the ballot that a portion of the tax  
23 will be dedicated to a school district or districts located wholly or  
24 *partially within the city or county on a per capita basis.*

25

26 SECTION 2. *Arkansas Code Annotated §6-20-302(7) is amended to read as*  
27 *follows:*

28 "*(7) `Total local resources' means the sum of the charges levied against*  
29 *each school district's charged assessed valuation, seventy-five percent (75%)*  
30 *of its miscellaneous funds and the sum of the previous fiscal year's local*  
31 *sales and use taxes collected and distributed to a school district pursuant to*  
32 *Section 1 of the Act of 1993 which was introduced as Senate Bill 597.*"

33

34 SECTION 3. *Arkansas Code Annotated 6-20-302(15) is amended to read as*  
35 *follows:*

1           "(15) `Local sales and use tax' means any local sales and use tax  
2 adopted pursuant to Arkansas Code Annotated §26-74-201 et seq., Arkansas Code  
3 Annotated §24-74-301 et seq., Arkansas Code Annotated §26-75-201 et seq.,  
4 Arkansas Code Annotated §26-75-301 et seq., Arkansas Code Annotated §14-164-  
5 301 et seq., or any other local sales and use tax administered in the same  
6 manner as the state sales and use tax. Upon determination of the total  
7 collected sales and use taxes for the current year, the State Department of  
8 Education shall make a current year adjustment in state aid. Adjustments for  
9 increases and decreases shall be made in the distribution of Minimum  
10 Foundation Program Aid for those districts. The State Department of Education  
11 shall withhold sufficient funds to make those adjustments."  
12

13           SECTION 4. The State Treasurer shall transmit to the treasurer or  
14 fiscal officer of each such local school district that district\_s share of the  
15 local sales and use taxes collected under this act at the same time as the  
16 city and county taxes are transmitted. Funds so transmitted may be used by  
17 the school district for any purpose for which the school district\_s general  
18 funds may be used.  
19

20           SECTION 5. To the extent Arkansas Code Annotated §14-58-502 conflicts  
21 with this act, it is hereby superseded.  
22

23           SECTION 6. All provisions of this act of a general and permanent nature  
24 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
25 Revision Commission shall incorporate the same in the Code.  
26

27           SECTION 7. If any provision of this act or the application thereof to  
28 any person or circumstance is held invalid, such invalidity shall not affect  
29 other provisions or applications of the act which can be given effect without  
30 the invalid provision or application, and to this end the provisions of this  
31 act are declared to be severable.  
32

33           SECTION 8. All laws and parts of laws in conflict with this act are  
34 hereby repealed.  
35

1

/s/ Senator Beebe et al.