

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: H3/15/11 H3/22/11

A Bill

HOUSE BILL 1738

5 By: Representative Ingram
6

For An Act To Be Entitled

8 AN ACT TO PROHIBIT THE DISTRIBUTION OF INSURANCE
9 PREMIUM TAX MONEYS TO INACTIVE FIRE DEPARTMENTS; AND
10 FOR OTHER PURPOSES.
11
12

Subtitle

14 TO PROHIBIT THE DISTRIBUTION OF INSURANCE
15 PREMIUM TAX MONEYS TO INACTIVE FIRE
16 DEPARTMENTS.
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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 § 14-284-403 is amended to read as follows:
22 14-284-403. Apportionment of funds.

23 (a)(1) These premium tax moneys are assessed for disbursement from the
24 Fire Protection Premium Tax Fund, § 19-6-468, by the Department of Finance
25 and Administration to the counties in the following percentages:
26 Arkansas County – 0.78%, Ashley County – 1.39%, Baxter County – 1.78%, Benton
27 County – 3.86%, Boone County – 1.46%, Bradley County – 0.52%, Calhoun County
28 – 0.51%, Carroll County – 0.97%, Chicot County – 0.51%, Clark County – 1.13%,
29 Clay County – 1.10%, Cleburne County – 1.11%, Cleveland County – 0.66%,
30 Columbia County – 1.24%, Conway County – 1.04%, Craighead County – 2.91%,
31 Crawford County – 1.98%, Crittenden County – 1.32%, Cross County – 0.84%,
32 Dallas County – 0.45%, Desha County – 0.71%, Drew County – 0.80%, Faulkner
33 County – 2.30%, Franklin County – 0.97%, Fulton County – 0.84%, Garland
34 County – 3.12%, Grant County – 1.13%, Greene County – 1.39%, Hempstead County
35 – 1.89%, Hot Spring County – 1.46%, Howard County – 0.75%, Independence
36 County – 1.90%, Izard County – 0.91%, Jackson County – 0.95%, Jefferson



1 County – 2.32%, Johnson County – 1.05%, Lafayette County – 0.71%, Lawrence
2 County – 0.96%, Lee County – 0.73%, Lincoln County – 1.12%, Little River
3 County – 0.77%, Logan County – 1.06%, Lonoke County – 1.70%, Madison County –
4 0.95%, Marion County – 1.00%, Miller County – 1.44%, Mississippi County –
5 1.77%, Monroe County – 0.53%, Montgomery County – 0.66%, Nevada County –
6 0.58%, Newton County – 0.67%, Ouachita County – 1.37%, Perry County – 0.62%,
7 Phillips County – 1.12%, Pike County – 0.87%, Poinsett County – 1.14%, Polk
8 County – 1.01%, Pope County – 1.73%, Prairie County – 0.83%, Pulaski County –
9 5.99%, Randolph County – 0.96%, St. Francis County – 1.45%, Saline County –
10 3.00%, Scott County – 0.59%, Searcy County – 0.73%, Sebastian County – 2.06%,
11 Sevier County – 0.82%, Sharp County – 1.30%, Stone County – 0.77%, Union
12 County – 2.01%, Van Buren County – 1.18%, Washington County – 3.46%, White
13 County – 2.71%, Woodruff County – 0.47%, Yell County – 1.11%.

14 (2)(A) The moneys shall be apportioned by each quorum court to
15 the districts and municipalities within the county based upon population
16 unless the ~~County Intergovernmental Cooperation Council~~ county
17 intergovernmental cooperation council notifies the quorum court of the fire
18 protection needs of the districts and municipalities, in which case the
19 moneys shall be apportioned by the quorum court based on those needs.

20 (B) The funds shall be distributed to municipalities and
21 those certified departments in districts ~~which~~ that are in compliance with
22 this subchapter, § 20-22-801 et seq., and § 6-21-106.

23 (C) Fire departments ~~which~~ that are not certified by the
24 Office of Fire Protection Services ~~pursuant to~~ under § 20-22-801 et seq.
25 shall also be eligible to receive moneys disbursed under this section so long
26 as all moneys received are spent directly on equipment, training, capital
27 improvements, or other expenditures necessary for upgrading the service
28 provided by the department.

29 (D)(i) An inactive fire department, as determined by the
30 county judge, is not eligible to receive moneys disbursed under this section.

31 (ii) Any moneys allocated by the county
32 intergovernmental cooperation council and any moneys that would have been
33 apportioned to an inactive fire department based upon population shall be
34 disbursed by the quorum court to the active departments based upon fire
35 protection needs.

36 (iii) If a quorum court has passed a resolution that

1 reallocates the moneys remaining after the disbursement of moneys under this
2 section, then the moneys shall be reallocated based upon the quorum court
3 resolution.

4 (b) Disbursements shall be made on forms prescribed by the Department
5 of Finance and Administration.

6 (c) A county treasurer shall not collect the treasurer's commission
7 provided in § 21-6-302 on any of the premium tax moneys disbursed from the
8 Fire Protection Premium Tax Fund.

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/s/Ingram

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