

"AN ACT TO PROVIDE THAT EXCESS AD VALOREM TAXES COLLECTED BY THE STATE ARE TO BE RETURNED TO THE LOCAL TAXING UNITS; AND FOR OTHER PURPOSES."

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

SECTION 1. Subsection (F) of Section 8 of Act 750 of 1973, as amended, the same being Arkansas Statutes 13-531 (F) is hereby amended to read as follows:

"(F) There is hereby established on the books of the State Treasurer, State Auditor, and the Chief Fiscal Officer of the State, a fund to be known as the 'Ad Valorem Tax Fund'. Such fund shall consist of those trust revenues derived from the ad valorem taxes as authorized by Act 119 of 1939 and all laws amendatory thereto, [Ark. Stats. (1947) 84-617 through 84-620, 84-622 through 84-624], and shall be used to reimburse the Constitutional and Fiscal Agencies Fund on account of expenditures made to the Local Audit Division of the Legislative Audit Division of the Legislative Joint Auditing Committee and to the appropriate fund or fund account from which the Tax Division and Assessment Coordination Division of the Public Service Commission as transferred to the Department of Commerce by Section 16 of Act 38 of 1971, derive their support, there to be used to reimburse such fund or fund account for expenditures made by such Divisions each fiscal year. Provided, however, that in the event there are insufficient moneys available in the Ad Valorem Tax Fund to fully reimburse such funds or fund account, the Chief Fiscal Officer shall transfer to each fund an amount based upon what the percentage of the expenditures of each fund or fund account bears to the total of all expenditures for such divisions to be so reimbursed. Further provided, that any moneys which may be available after reimbursing the various funds or fund accounts as provided herein shall be transferred annually to the County Aid Fund by the Chief Fiscal Officer and thereafter the Treasurer of State shall transmit the same to the respective county treasurers, as provided by Act 470, approved March 20, 1965."

SECTION 2. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 3. It is hereby found and determined by the General Assembly that because of the case Ricarte v. State, CR 86-31, a question has arisen over the validity of Act 1020 of the Extended Session of 1976; that this Act is a reenactment of the former law; and that the immediate passage of this Act is necessary to clarify the state of the law on this issue. Therefore, an emergency is hereby declared to exist, and this Act being necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval.

APPROVED: April 13, 1987

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