

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**

A Bill

ACT 1142 OF 1993
HOUSE BILL 1929

4 **By: Representatives Cunningham, Flanagin, McGinnis, and J. Wilson**

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For An Act To Be Entitled

8 "AN ACT TO PROVIDE THAT UNDER CERTAIN CIRCUMSTANCES
9 BUSINESSES WHICH HAD BEEN CERTIFIED TO RECEIVE ENTERPRISE
10 ZONE BENEFITS WHICH EXPIRED MAY BE ELIGIBLE FOR ADDITIONAL
11 BENEFITS UPON COMPLETING CONSTRUCTION OF THE FACILITY
12 WITHIN TWENTY-FOUR MONTHS; AND FOR OTHER PURPOSES. "

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Subtitle

15 "BUSINESS CERTIFIED TO RECEIVE ENTERPRISE ZONE BENEFITS
16 WHICH EXPIRED MAY BE ELIGIBLE IF FACILITY CONSTRUCTION
17 COMPLETED. "

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

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21 *SECTION 1. Any business which prior to the effective date of this act*
22 *had been certified by the Arkansas Industrial Development Commission as*
23 *qualifying for enterprise zone benefits under Act 740 of 1983 and which had*
24 *not completed constructing its facility before July 1, 1992, shall be entitled*
25 *to the benefits prescribed by Ark. Code Ann. §15-4-801 et seq. provided that*
26 *the facility is located in a county in which the average yearly unemployment*
27 *rate was in excess of 10% in calendar year 1992 and the business expends at*
28 *least one million dollars (\$1,000,000) in completing the construction of the*
29 *facility in that county and the business had begun construction prior to the*
30 *effective date of this act. If construction of the facility is not completed*
31 *within twenty-four (24) months after the effective date of this act, then the*
32 *business shall not be entitled to any benefits under Ark. Code Ann. §15-4-801*
33 *et seq. and shall repay any benefits received during the twenty-four month*
34 *construction period.*

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36 *SECTION 2. All provisions of this act of a general and permanent nature*

1 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
2 Revision Commission shall incorporate the same in the Code.

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4 SECTION 3. If any provision of this act or the application thereof to
5 any person or circumstance is held invalid, such invalidity shall not affect
6 other provisions or applications of the act which can be given effect without
7 the invalid provision or application, and to this end the provisions of this
8 act are declared to be severable.

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10 SECTION 4. All laws and parts of laws in conflict with this act are
11 hereby repealed.

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13 SECTION 5. EMERGENCY. It is hereby found and determined by the General
14 Assembly that certain entities which in 1989 had been certified for enterprise
15 zone benefits were shortly thereafter decertified; that the decertification
16 was inequitable; that this act restores the certification; and that until this
17 act takes effect inequity will prevail. Therefore, an emergency is hereby
18 declared to exist and this act being necessary for the immediate preservation
19 of the public peace, health and safety shall be in full force and effect from
20 and after its passage and approval.

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/s/Rep. Cunningham, et al

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APPROVED: 4/14/93

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