

1 **State of Arkansas**  
2 **80th General Assembly**  
3 **Regular Session, 1995**

# **A Bill**

**ACT 794 OF 1995**  
**HOUSE BILL 1772**

4 **By: Representatives Argue, Wagner, Willems, Hinshaw, Capps, Schexnayder, Jones, Dawson,**  
5 **Hill, Wyrick, B. Wood, Sheppard, Ferrell, Ferguson, Flanagan, Johnson, Malone, T. Smith,**  
6 **Von Gremp, J. Roberts, D. Bennett, Angel, Wilkinson, Mitchell, Wren, Pappas, Vess, Hall,**  
7 **Courtway, DeLay, Stalnaker, Madison, Jordan, Wooldridge, Choate, Thomas, J. Wilson**

8  
9

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

11 "AN ACT TO CLARIFY THE TERMINATION PROVISIONS OF  
12 SUBCHAPTER 14 OF CHAPTER 52 OF TITLE 26 OF ARKANSAS CODE;  
13 AND FOR OTHER PURPOSES."

14  
15

### **Subtitle**

16 "AN ACT TO CLARIFY AND TERMINATE  
17 SUBCHAPTER 14 OF CHAPTER 52 OF TITLE 26  
18 OF ARKANSAS CODE."

19

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

21

22 SECTION 1. Subchapter 14 of Chapter 52 of Title 26 of the Arkansas  
23 Code, Arkansas Code §26-52-1401 through §26-52-1406, contains inconsistent  
24 termination provisions, and in order to prevent litigation and violation of  
25 federal provisions, is hereby terminated effective June 30, 1995.

26

27 SECTION 2. All provisions of this act of a general and permanent nature  
28 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
29 Revision Commission shall incorporate the same in the Code.

30

31 SECTION 3. If any provision of this act or the application thereof to  
32 any person or circumstance is held invalid, such invalidity shall not affect  
33 other provisions or applications of the act which can be given effect without  
34 the invalid provision or application, and to this end the provisions of this  
35 act are declared to be severable.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

SECTION 4. All laws and parts of laws in conflict with this act, specifically Subchapter 14 of Chapter 52 of Title 26 of the Arkansas Code, are hereby repealed.

SECTION 5. EMERGENCY. It is found and determined by the General Assembly that inconsistent termination provisions regarding provider taxes exist in the current codification of Subchapter 14 of Chapter 52 of Title 26 of the Arkansas Code, which may provoke litigation and violate federal provisions, and such provisions should be terminated. Therefore, an emergency is 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 June 30, 1995.

BECAME LAW WITHOUT GOVERNOR'S SIGNATURE: 3-27-95

