

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

As Engrossed: H1/15/97

# A Bill

ACT 106 OF 1997  
HOUSE BILL 1042

4 By: *Representative Willems, Wilkinson, Hall*  
5 By: *Senator Harriman*

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## For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 12-10-318(a)(1) TO SET THE  
10 TARIFF RATE FOR THE EMERGENCY TELEPHONE SERVICE CHARGE IN  
11 SMALL COMMUNITIES; AND FOR OTHER PURPOSES."

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## Subtitle

14 "TO AMEND ARKANSAS CODE 12-10-318(a)(1)  
15 TO SET THE TARIFF RATE FOR THE EMERGENCY  
16 TELEPHONE SERVICE CHARGE IN SMALL  
17 COMMUNITIES."

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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 12-10-318(a)(1) is amended to read as  
22 follows:

23 "(a)(1) When so authorized by a majority of the persons voting within  
24 the political subdivision in accordance with the law, the governing authority  
25 of each political subdivision may levy any emergency telephone service charge  
26 in the amount of five percent (5%) of the tariff rate, except that any  
27 political subdivision with a population of less than twenty-five thousand  
28 (25,000) may, by a majority vote of the electors voting on the issue, levy an  
29 emergency telephone charge in an amount not to exceed twelve percent (12%) of  
30 the tariff rate."

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

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36 SECTION 3. If any provision of this act or the application thereof to

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

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7 hereby repealed.

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9 SECTION 5. EMERGENCY. It is hereby found and determined by the General  
10 Assembly that political subdivisions with less than twenty-five thousand  
11 (25,000) population are not able to provide a 911 service under the current  
12 restrictions on emergency telephone service charges; that this act grants  
13 greater flexibility to those political subdivisions; and that this act should  
14 go into effect as soon as possible in order to help provide 911 service to the  
15 portions of this state which do not now have the capability of financing the  
16 same. Therefore an emergency is declared to exist and this act being  
17 immediately necessary for the preservation of the public peace, health and  
18 safety shall become effective on the date of its approval by the Governor. If  
19 the bill is neither approved nor vetoed by the Governor, it shall become  
20 effective on the expiration of the period of time during which the Governor  
21 may veto the bill. If the bill is vetoed by the Governor and the veto is  
22 overridden, it shall become effective on the date the last house overrides the  
23 veto.

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25 /s/Rep Willems, et al

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27 APPROVED:2-06-97

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