

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4
5 By: Senator Walker

A Bill

ACT 711 OF 1997
SENATE BILL 569

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE 14-20-103 TO PERMIT THE COUNTY QUORUM COURT OF ANY COUNTY WHICH HAS BEEN DECLARED A DISASTER AREA AS A RESULT OF A NATURAL DISASTER TO APPROPRIATE IN EXCESS OF NINETY PERCENT OF ANTICIPATED REVENUES FOR THE YEAR; AND FOR OTHER PURPOSES."

Subtitle

"TO PERMIT THE COUNTY QUORUM COURT TO APPROPRIATE IN EXCESS OF 90% OF ANTICIPATED REVENUES IN CASE OF A NATURAL DISASTER IN THE COUNTY."

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

SECTION 1. Arkansas Code 14-20-103 is amended to read as follows:

"14-20-103. Appropriations to be specific - Limitation.

(a) The county quorum court shall specify the amount of appropriations for each purpose in dollars and cents, and except as authorized in subsection (c), the total amount of appropriations for all county or district purposes for any one (1) year shall not exceed ninety percent (90%) of the anticipated revenues for that year, except for federal or state grants overseen by counties which the court may appropriate up to one hundred percent (100%) of the anticipated revenues for that year.

(b) For revenues to qualify as a grant under this section the county must demonstrate that the state or federal agency characterized the revenues as a grant.

(c) In any county in which a natural disaster, including but not limited to a flood or tornado, results in the county being declared a disaster

1 area by the Governor of the state or an appropriate official of the United
2 States government, the quorum court of the county may appropriate in excess of
3 ninety percent (90%) of anticipated revenues. Provided, any appropriation of
4 funds in excess of ninety percent (90%) of anticipated revenues shall be made
5 only for street cleanup and repair, collection, transportation and disposal of
6 debris, repair or replacement of county facilities and equipment, and other
7 projects or costs directly related to or resulting from the natural disaster."

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

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13 SECTION 3. If any provision of this act or the application thereof to
14 any person or circumstance is held invalid, such invalidity shall not affect
15 other provisions or applications of the act which can be given effect without
16 the invalid provision or application, and to this end the provisions of this
17 act are declared to be severable.

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

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22 SECTION 5. EMERGENCY. It is hereby found and determined by the General
23 Assembly that devastating tornadoes and flooding recently occurred in several
24 counties of the state; that several of the affected counties have been
25 declared disaster areas by the Governor; that as a result of the tornadoes and
26 flooding, considerable expenditures will be required of the counties to clean
27 and repair streets, to dispose of debris, to repair or replace county
28 facilities and equipment damaged or destroyed, and to cover other necessary
29 expenses occasioned by the natural disaster; that under present law, the
30 county quorum court may not appropriate more than ninety percent of
31 anticipated revenues for the year; and that it is the intent and purpose of
32 this act to permit the appropriation and expenditure for disaster related
33 expenses of all or a portion of the ten percent reserve otherwise required and
34 that this act should be given effect immediately. Therefore, an emergency is
35 declared to exist and this act being immediately necessary for the
36 preservation of the public peace, health and safety shall become effective on

1 the date of its approval by the Governor. If the bill is neither approved nor
2 vetoed by the Governor, it shall become effective on the expiration of the
3 period of time during which the Governor may veto the bill. If the bill is
4 vetoed by the Governor and the veto is overridden, it shall become effective
5 on the date the last house overrides the veto.

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APPROVED:3-20-97