

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

As Engrossed: S3/15/99

# A Bill

Act 1166 of 1999  
SENATE BILL 953

5 By: Senator Gwatney  
6  
7

## For An Act To Be Entitled

9 "AN ACT TO ESTABLISH A COMMISSION TO STUDY THE  
10 OPERATION OF COIN-OPERATED AMUSEMENTS IN ARKANSAS; AND  
11 FOR OTHER PURPOSES. "

### Subtitle

14 "TO ESTABLISH A COMMISSION TO STUDY THE  
15 OPERATION OF COIN-OPERATED AMUSEMENTS IN  
16 ARKANSAS. "

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18  
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. There is hereby created an Amusements Study Commission to be  
22 composed of five (5) members, including the Director of the Department of  
23 Finance and Administration, one (1) member to be appointed by the President  
24 Pro Tempore of the Arkansas Senate, one (1) member to be appointed by the  
25 Speaker of the Arkansas House of Representatives, one (1) member to be  
26 appointed by the Arkansas Attorney General and one (1) member to be a duly  
27 elected prosecuting attorney appointed by the Governor.  
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29 SECTION 2. Members of the commission shall be appointed no later than  
30 July 1, 1999, and shall serve until December 31, 2000, at which time the  
31 Commission shall cease to exist. Members shall serve without compensation,  
32 but may be reimbursed for expenses.  
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34 SECTION 3. The commission shall study the effects of coin-operated  
35 amusements in Arkansas; whether such amusements constitute lotteries which are  
36 prohibited by the Arkansas Constitution; and whether these amusements, if

1 constitutionally permissible, are properly regulated and taxed.

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3 SECTION 4. All provisions of this act of a general and permanent nature  
4 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
5 Revision Commission shall incorporate the same in the Code.

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

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

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16 SECTION 7. EMERGENCY CLAUSE. It is hereby found and determined by the  
17 Eighty-second General Assembly that since the enactment of Act 740 of 1995,  
18 there has been a proliferation of amusement devices in Arkansas, and the  
19 current Arkansas law dealing with coin operated amusements has created  
20 confusion among law enforcement officers regarding whether such devices are  
21 legally permissible under the Arkansas Constitution. Therefore, an emergency  
22 is declared to exist and this act being immediately necessary for the  
23 preservation of the public peace, health and safety shall become effective on  
24 the date of its approval by the Governor. If the bill is neither approved nor  
25 vetoed by the Governor, it shall become effective on the expiration of the  
26 period of time during which the Governor may veto the bill. If the bill is  
27 vetoed by the Governor and the veto is overridden, it shall become effective  
28 on the date the last house overrides the veto.

29 /s/ Gwatney

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32 APPROVED: 4/6/1999