

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: H3/26/99

A Bill

Act 1568 of 1999
SENATE BILL 870

5 By: Senators Beebe, *Hill*
6 By: *Representative Teague*
7

For An Act To Be Entitled

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10 "AN ACT TO AMEND THE ESTATE TAX LAW OF ARKANSAS TO
11 PROVIDE FOR ECONOMIC DEVELOPMENT AND TO PROVIDE
12 GUIDELINES FOR DISBURSEMENTS FROM THE ECONOMIC
13 DEVELOPMENT FUND OF ARKANSAS; AND FOR OTHER PURPOSES. "

Subtitle

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16 "TO AMEND THE ESTATE TAX LAW OF ARKANSAS
17 TO PROVIDE FOR ECONOMIC DEVELOPMENT AND
18 TO PROVIDE GUIDELINES FOR DISBURSEMENTS
19 FROM THE ECONOMIC DEVELOPMENT FUND OF
20 ARKANSAS. "

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

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25 SECTION 1. Arkansas Code 26-59-122 is amended to read as follows:

26 "26-59-122. Disposition and allocation of funds.

27 (a)(1) All taxes, fees, penalties, and costs received by the director
28 under the provisions of this chapter shall be general revenues and shall be
29 deposited in the State Treasury to the credit of the State Apportionment Fund,
30 except that the amount of estate taxes collected in a calendar year that
31 exceeds ten percent (10%) of the average annual estate taxes collected for a
32 five-year period immediately preceding the calendar year or fifteen million
33 dollars (\$15,000,000), whichever is greater, shall be deposited into the State
34 Treasury as special revenues and credited to the Economic Development of
35 Arkansas Fund.

36 (2) The Economic Development of Arkansas Fund shall consist of

1 those special revenues as specified in subdivision (171) of § 19-6-301, there
2 to be used for the purpose of economic development of Arkansas as managed and
3 distributed by the Economic Development of Arkansas Fund Commission, as set
4 out in § 26-59-122. The special revenues in this fund are to be used for
5 grants to support job creation or job retention projects by government
6 entities such as state agencies, public education institutions, airport or
7 port authorities or a local body of government. The grant funds are to be
8 used for construction, reconstruction, demolition, site development,
9 transportation, contract and related costs associated with job creation or
10 retention projects, or streets, roads, bridges, drainage and other vital
11 public facilities related to job creation or retention or to provide training
12 or retraining of the workforce for new or existing industry. The use of the
13 funds for such training shall be limited to training where no other existing
14 education or training program is capable of meeting the specific training
15 needs necessary to further the goals of economic development and enhancement.
16 Funds may also be used for economic development for the benefit of a local
17 community when needed to provide matching funds necessary to take advantage of
18 federal grants or other federal aid when no other source of state funding is
19 available to provide such matching funds.

20 (3) The Economic Development of Arkansas Fund shall be managed
21 and distributed by the Economic Development of Arkansas Fund Commission,
22 hereafter known as the commission, which shall consist of seven (7) members
23 appointed by the Governor for terms of six (6) years and is hereby authorized
24 to promulgate necessary rules and regulations for the implementation of this
25 subsection.

26 (4) All members serving on the commission as of January 1, 2000,
27 shall continue to serve until they resign or reach the expiration of their
28 appointed term. Members appointed on or after January 1, 2000, shall serve
29 six-year staggered terms. The terms of the first two (2) members appointed on
30 or after January 1, 2000, shall commence on the date of appointment and expire
31 two (2) years later. The terms of the next two (2) members appointed on or
32 after January 1, 2000, shall commence on the date of appointment and expire
33 four (4) years later. The terms of any person appointed thereafter shall
34 commence on the date of appointment and expire six (6) years later. Members
35 appointed to replace a member that has resigned or that is unable to complete
36 their term shall serve for the remainder of the term for the member being

1 replaced.

2 (b) The State Treasurer shall allocate and transfer the funds to the
3 various State Treasury funds participating in general revenues in the
4 respective proportions to each as provided by and to be used for the
5 respective purposes set forth in, the Revenue Stabilization Law of Arkansas, §
6 19-5-101 et seq.”

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

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

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

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/s/ Beebe, et al

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APPROVED: 4/15/1999

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