

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 1287 of the Regular Session

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: S3/26/09

A Bill

HOUSE BILL 1553

5 By: Representatives T. Bradford, Flowers, Word, Maxwell, Rainey
6 By: Senators H. Wilkins, J. Taylor
7
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9 **For An Act To Be Entitled**

10 AN ACT TO ENHANCE ECONOMIC OPPORTUNITIES IN RURAL
11 AREAS OF ARKANSAS; TO EXPAND THE OPTIONS FOR
12 CONSTRUCTING AND OPERATING MOTOR VEHICLE RACING
13 FACILITIES; AND FOR OTHER PURPOSES.
14

15 **Subtitle**

16 AN ACT TO ENHANCE ECONOMIC OPPORTUNITIES
17 IN RURAL AREAS OF ARKANSAS AND TO EXPAND
18 THE OPTIONS FOR CONSTRUCTING AND
19 OPERATING MOTOR VEHICLE RACING
20 FACILITIES.
21
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

25 SECTION 1. Arkansas Code § 8-10-304(a), concerning exemptions for
26 certain motor vehicle racing facility construction and operation, is amended
27 to read as follows:

28 (a) ~~The provisions of §§ Sections 8-10-302 and 8-10-303 shall do not~~
29 apply to any motor vehicle racing facilities located ~~north of a navigable~~
30 ~~waterway that traverses the state and~~ in a county having a population between
31 eighty thousand (80,000) and ninety thousand (90,000) according to the 1990
32 Federal Decennial Census and that are:

- 33 (1) South of a navigable waterway that traverses the state; or
34 (2) More than two (2) miles from an interstate highway, public
35 or private school, or church facility in place at the time of the original



1 permit application.

2
3 SECTION 2. Arkansas Code § 8-10-304(b)(1)(A), concerning exemptions
4 for certain motor vehicle racing facility construction and operation, is
5 amended to read as follows:

6 (b)(1)(A) ~~The persons or entity proposing and constructing a motor~~
7 ~~vehicle racing facility in an area located north of a navigable waterway that~~
8 ~~traverses the state and in a county having a population between eighty~~
9 ~~thousand (80,000) and ninety thousand (90,000) according to the 1990 Federal~~
10 ~~Decennial Census shall seek the approval of and issuance of an annual permit~~
11 ~~from the Arkansas Department of Environmental Quality under this section. A~~
12 person or entity proposing and constructing a motor vehicle racing facility
13 under subsection (a) of this section shall seek the approval of and issuance
14 of an annual permit from the Arkansas Department of Environmental Quality.

15
16 SECTION 3. Arkansas Code § 8-10-304(e), concerning the minimum
17 distance for a motor racing facility from a county boundary, is amended to
18 read as follows:

19 (e) Due to the noise pollution and air pollution from the racing
20 vehicles and traffic congestion caused by motor vehicle racing facilities, no
21 facility shall be permitted or constructed under this section within ~~three~~
22 ~~(3) miles~~ one (1) mile of the boundary of another county.

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24 /s/ T. Bradford

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26 **APPROVED: 4/9/2009**