

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 692 of the Regular Session

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

# A Bill

HOUSE BILL 2222

5 By: Representatives Adcock, Hall  
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7

## For An Act To Be Entitled

9 AN ACT TO CREATE THE ANIMAL RESCUE AND SHELTER  
10 TRUST FUND; TO PROVIDE FOR AND ISSUE A SPECIAL  
11 LICENSE PLATE FOR THE SUPPORT OF ANIMAL RESCUE  
12 AND SHELTERS; AND FOR OTHER PURPOSES.  
13

## Subtitle

14 TO CREATE THE ANIMAL RESCUE AND SHELTER  
15 TRUST FUND AND TO PROVIDE FOR AND ISSUE  
16 A SPECIAL LICENSE PLATE FOR THE SUPPORT  
17 OF ANIMAL RESCUE AND SHELTERS.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code Title 19, Chapter 5, Subchapter 11 is amended  
24 to add an additional section to read as follows:

25 19-5-1136. Animal Rescue and Shelter Trust Fund.

26 (a) As used in this section, "registered governmentally owned animal  
27 rescue shelter" means an animal rescue or shelter owned by a county or  
28 municipality that has submitted notice to the Department of Finance and  
29 Administration as required under subsection (f) of this section and is on the  
30 official list of registered governmentally owned animal rescue shelters  
31 prepared by the Director of the Department of Finance and Administration  
32 under subsection (f) of this section.

33 (b) There is created on the books of the Treasurer of State, the  
34 Auditor of State, and the Chief Fiscal Officer of the State a trust fund to  
35 be known as the "Animal Rescue and Shelter Trust Fund".



1           (c) The fund shall consist of those special revenues as specified in §  
2 27-24-1409(c)(1)(B) and any other revenues as may be authorized by law.

3           (d) The fund shall be distributed as follows:

4                   (1) Thirty-five percent (35%) is distributed to and used by the  
5 counties as follows:

6                           (A) Each county that has at least one (1) registered  
7 governmentally owned animal rescue shelter shall receive a proportional  
8 distribution based on the county’s population as determined by the most  
9 recent federal decennial census;

10                           (B) Funding received by a county under this subdivision  
11 (d)(1) shall be used exclusively for the construction, maintenance, or  
12 operation of registered governmentally owned animal rescue shelters; and

13                           (C) A county may contract with or provide grants to a  
14 private nonprofit organization for the operation of the registered  
15 governmentally owned animal rescue shelter;

16                   (2) Thirty-five percent (35%) is distributed to and used by  
17 municipalities as follows:

18                           (A) Each municipality that has at least one (1) registered  
19 governmentally owned animal rescue shelter shall receive a proportional  
20 distribution based on the municipality’s population as determined by the most  
21 recent federal decennial census;

22                           (B) Funding received by a municipality under this  
23 subdivision (d)(2) shall be used exclusively for the construction,  
24 maintenance, or operation of registered governmentally owned animal rescue  
25 shelters; and

26                           (C) A municipality may contract with or provide grants to  
27 a private nonprofit organization for the operation of the registered  
28 governmentally owned animal rescue shelter; and

29                   (3)(A) Thirty percent (30%) is distributed to the Department of  
30 Rural Services to provide grants to a county or municipality based only on  
31 the infrastructure needs for animal rescues or animal shelters.

32                           (B) Moneys distributed under this section shall not be  
33 limited to registered governmentally owned animal rescue shelters but shall  
34 be used exclusively for infrastructure needs for animal rescues or animal  
35 shelters.

36           (e) Any funds received by a county or municipality under subsection

1 (d) of this section that are not used within one (1) year from the date of  
2 receipt by the county or municipality must be returned to the Animal Rescue  
3 and Shelter Trust Fund.

4 (f)(1)(A) On or before October 1, 2009, a county or municipality that  
5 owns one (1) or more animal rescues or animal shelters on the date that  
6 notification is mailed shall notify the Director of the Department of Finance  
7 and Administration in writing to qualify for funding under this section.

8 (B) The notification under subdivision (f)(1)(A) of this  
9 section shall include the physical address and telephone number of each  
10 animal rescue or animal shelter that the county or municipality owns.

11 (2)(A) On or before October 15, 2009, the Director of the  
12 Department of Finance and Administration shall provide the Treasurer of State  
13 with a list of each county and municipality that has registered as owning an  
14 animal rescue shelter.

15 (B) The list submitted by the Department of Finance and  
16 Administration shall be known as the official list of registered  
17 governmentally owned animal rescue shelters that are eligible to receive  
18 funding under subdivisions (d)(1) and (2) of this section.

19 (C) The list submitted by the Department of Finance and  
20 Administration shall include the physical address, telephone number, and the  
21 municipality, if applicable, and county in which the registered  
22 governmentally owned animal rescue shelter is located.

23 (3)(A) A county or municipality that begins to own or operate an  
24 animal rescue or animal shelter after October 1, 2009, may notify the  
25 Department of Finance and Administration in the same manner as provided under  
26 subdivision (f)(1) of this section and shall begin to receive funds under  
27 subdivisions (d)(1) and (2) of this section on the first distribution by the  
28 Treasurer of State following sixty (60) days after written notice to the  
29 Department of Finance and Administration was received.

30 (B) As soon as practicable to ensure that a county or  
31 municipality that begins to own or operate a registered governmentally owned  
32 animal rescue shelter after October 1, 2009, the Department of Finance and  
33 Administration shall revise the official list of registered governmentally  
34 owned animal rescue shelters to include the addition of the most recent  
35 registered governmentally owned animal rescue shelters and provide the list  
36 to the Treasurer of State.

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2 SECTION 2. Arkansas Code Title 27, Chapter 24, Subchapter 14 is  
3 amended to add an additional section to read as follows:

4 27-24-1409. Support Animal Rescue and Shelters special license plate  
5 decal.

6 (a)(1) The Director of the Department of Finance and Administration  
7 shall issue a special license plate that bears a decal that states “Support  
8 Animal Rescue and Shelters” in the manner and subject to the conditions  
9 provided under this subchapter.

10 (2) The procedures regarding costs under § 27-24-  
11 1404(c)(1)(A)(i)-(iii) shall apply.

12 (b) Any motor vehicle owner annually may apply for and renew a special  
13 license plate that bears the decal described in subdivision (a)(1) of this  
14 section.

15 (c)(1) The Department of Finance and Administration shall issue a  
16 special license plate that bears the decal under this section upon payment  
17 of:

18 (A) The fee required by law for registration of the motor  
19 vehicle;

20 (B) Payment of twenty-five dollars (\$25.00) to cover the  
21 design-use contribution; and

22 (C) Payment of a handling and administrative fee of ten  
23 dollars (\$10.00).

24 (2)(A) The handling and administrative fee shall be:

25 (i) Deposited into the State Central Services Fund  
26 for the benefit of the Revenue Division of the Department of Finance and  
27 Administration; and

28 (ii) Credited to the division as supplemental and in  
29 addition to all other funds that may be deposited for the benefit of the  
30 division.

31 (B) The handling and administrative fee shall not be  
32 considered or credited to the division as direct revenue.

33 (3) The design-use contribution of twenty-five dollars (\$25.00)  
34 shall be remitted monthly to the Treasurer of State for deposit into the  
35 State Treasury as special revenues for the Animal Rescue and Shelter Trust  
36 Fund, § 19-5-1136.

1        (d)(1) The special license plate that bears a decal issued under this  
2 section may be renewed annually or replaced under the procedures set out in §  
3 27-24-1405.

4                (2) However, the Revenue Division of the Department of Finance  
5 and Administration shall remit the fees collected under § 27-24-1405(b)(2) on  
6 a monthly basis to the Treasurer of State for deposit into the State Treasury  
7 as special revenues for the Animal Rescue and Shelter Trust Fund, § 19-5-  
8 1136.

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10              SECTION 3. EMERGENCY CLAUSE. It is found and determined by the  
11 General Assembly of the State of Arkansas that the cat and dog populations in  
12 Arkansas are expanding exponentially, that animal shelters are overrun with  
13 unwanted cats and dogs, that municipalities and counties lack the funds to  
14 keep up with the expanding cat and dog populations, that the recent downturn  
15 in the economy is adding to the unwanted cat and dog problem, and that  
16 additional funds are drastically needed to contend with the ever-expanding  
17 cat and dog populations. Therefore, an emergency is declared to exist and  
18 this act being necessary for the preservation of the public peace, health,  
19 and safety shall become effective on July 1, 2009.

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21                              **APPROVED: 3/30/2009**  
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