

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.

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

A Bill

HOUSE BILL 1635

5 By: Representative Reep
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For An Act To Be Entitled

9 AN ACT TO INCLUDE SUPPORT ACTIVITIES FOR RAIL
10 TRANSPORTATION AS AN ELIGIBLE BUSINESS UNDER THE
11 CONSOLIDATED INCENTIVE ACT OF 2003; AND FOR OTHER
12 PURPOSES.
13

Subtitle

15 TO INCLUDE SUPPORT ACTIVITIES FOR RAIL
16 TRANSPORTATION AS AN ELIGIBLE BUSINESS
17 UNDER THE CONSOLIDATED INCENTIVE ACT OF
18 2003.
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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 § 15-4-2703(10), concerning the definition of
24 "eligible businesses", is amended to read as follows:

25 (10) "Eligible businesses" means nonretail businesses engaged in
26 commerce for profit that meet the eligibility requirements for the applicable
27 incentive offered by this subchapter and fall into one (1) or more of the
28 following categories:

29 (A) Manufacturers classified in sectors 31-33 in the North
30 American Industry Classification System, as in effect January 1, 2003;

31 (B)(i) Businesses primarily engaged in the design and
32 development of prepackaged software, digital content production and
33 preservation, computer processing and data preparation services, or
34 information retrieval services.

35 (ii) All businesses in this group shall derive at
36 least seventy-five percent (75%) of their sales revenue from out of state;



1 (C)(i) Businesses primarily engaged in motion picture
2 productions.

3 (ii) All businesses in this group shall derive at
4 least seventy-five percent (75%) of their sales revenue from out of state;

5 (D) Distribution centers or intermodal facilities;

6 (E) Office sector businesses;

7 (F) National or regional corporate headquarters, North
8 American Industry Classification System Code 551114, as in effect January 1,
9 2005;

10 (G) Firms primarily engaged in commercial, physical, and
11 biological research as classified in the North American Industry
12 Classification System Code 541710, as in effect January 1, 2005;

13 (H)(i) Scientific and technical services businesses.

14 (ii)(a) All businesses in this group shall derive at
15 least seventy-five percent (75%) of their sales revenue from out of state.

16 (b)(1) The average hourly wages paid by
17 businesses in this group shall exceed one hundred fifty percent (150%) of the
18 county or state average hourly wage, whichever is less.

19 (2) The average hourly wage threshold
20 determined at the signing date of the financial incentive agreement shall be
21 the threshold for the term of the agreement; ~~and~~

22 (I) The director may classify a nonretail business as an
23 eligible business if the following conditions exist:

24 (i) The business receives at least seventy-five
25 percent (75%) of its sales revenue from out of state; and

26 (ii) The business proposes to pay wages in excess of
27 one hundred ten percent (110%) of the county or state average hourly wage,
28 whichever is less; and

29 (J) Businesses primarily engaged in providing specialized
30 services for railroad transportation as classified in the North American
31 Industry Classification System Code 488210, as in effect on January 1, 2009.

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