

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 2222

5 By: Representatives Adcock, Hall
6
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

15 TO CREATE THE ANIMAL RESCUE AND SHELTER
16 TRUST FUND AND TO PROVIDE FOR AND ISSUE
17 A SPECIAL LICENSE PLATE FOR THE SUPPORT
18 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".

36 (c) The fund shall consist of those special revenues as specified in §



1 27-24-1409(c)(1)(B) and any other revenues as may be authorized by law.

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

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

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

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

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

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

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

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

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

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

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

35 (e) Any funds received by a county or municipality under subsection
36 (d) of this section that are not used within one (1) year from the date of

1 receipt by the county or municipality must be returned to the Animal Rescue
 2 and Shelter Trust Fund.

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

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

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

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

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

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

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

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

3 27-24-1409. Support Animal Rescue and Shelters special license plate
 4 decal.

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

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

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

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

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

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

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

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

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

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

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

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

36 (d)(1) The special license plate that bears a decal issued under this

1 section may be renewed annually or replaced under the procedures set out in §
2 27-24-1405.

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

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

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