

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011

A Bill

SENATE BILL 212

4
5 By: Senators J. Dismang, J. Key

For An Act To Be Entitled

8 AN ACT TO REQUIRE VOTERS TO REAPPROVE ADVERTISING AND
9 PROMOTION TAXES; FOR OTHER PURPOSES.

Subtitle

13 TO REQUIRE VOTERS TO REAPPROVE
14 ADVERTISING AND PROMOTION TAXES.

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

19 SECTION 1. Arkansas Code § 26-74-505 is amended to read as follows:
20 26-74-505. Cessation of tax levy.

21 ~~Any tax levied under this subchapter shall cease to be collected when~~
22 ~~the indebtedness has been paid or redeemed.~~

23 (a)(1) Beginning in 2012 and every four (4) years thereafter, a county
24 levying a tax under this subchapter shall place on the ballot at the general
25 election a measure that requires the qualified electors to reapprove the tax.

26 (2) If the qualified electors do not reapprove the tax, the
27 county:

28 (A) Shall cease collecting the tax as soon as the existing
29 indebtedness is paid or redeemed; and

30 (B) Is prohibited from incurring further indebtedness
31 associated with the tax.

32 (b) It is recognized that the tax under this subchapter cannot
33 practically be stopped at the exact time the indebtedness is paid or
34 redeemed, so nominal excess may result. Therefore, any surplus shall be
35 transferred to the county general fund.



1 SECTION 2. Arkansas Code Title 26, Chapter 75, Subchapter 6 is amended
 2 to add an additional section to read as follows:

3 26-75-619. Cessation of tax levy.

4 (a)(1) Beginning in 2012 and every four (4) years thereafter, a city
 5 of the first class, city of the second class, or incorporated town levying a
 6 tax under this subchapter shall place on the ballot at the general election a
 7 measure that requires the qualified electors to reapprove the tax.

8 (2) If the qualified electors do not reapprove the tax, the city
 9 of the first class, city of the second class, or incorporated town:

10 (A) Shall cease collecting the tax as soon as the existing
 11 indebtedness is paid or redeemed; and

12 (B) Is prohibited from incurring further indebtedness
 13 associated with the tax.

14 (b) It is recognized that the tax under this subchapter cannot
 15 practically be stopped at the exact time the indebtedness is paid or
 16 redeemed, so nominal excess may result. Therefore, any surplus shall be
 17 transferred to the city general fund.

18
 19 SECTION 3. Arkansas Code Title 26, Chapter 75, Subchapter 7 is amended
 20 to add an additional section to read as follows:

21 26-75-706. Cessation of tax levy.

22 (a)(1) Beginning in 2012 and every four (4) years thereafter, a city
 23 of the first class levying a tax under this subchapter shall place on the
 24 ballot at the general election a measure that requires the qualified electors
 25 to reapprove the tax.

26 (2) If the qualified electors do not reapprove the tax, the city
 27 of the first class:

28 (A) Shall cease collecting the tax as soon as the existing
 29 indebtedness is paid or redeemed; and

30 (B) Is prohibited from incurring further indebtedness
 31 associated with the tax.

32 (b) It is recognized that the tax under this subchapter cannot
 33 practically be stopped at the exact time the indebtedness is paid or
 34 redeemed, so nominal excess may result. Therefore, any surplus shall be
 35 transferred to the city general fund.