

**Stricken language would be deleted from and underlined language would be added to the Arkansas Constitution.**

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4  
5 By: Senator Files

SJR 5

**SENATE JOINT RESOLUTION**

8 PROPOSING A CONSTITUTIONAL AMENDMENT TO AUTHORIZE  
9 CITIES AND COUNTIES TO CREATE DISTRICTS WITHIN THE  
10 CITY OR COUNTY FOR DEVELOPMENT AND REDEVELOPMENT  
11 PROJECTS WITHIN THE DISTRICT AND TO ISSUE BONDS  
12 PAYABLE FROM THE INCREASED AMOUNT OF STATE SALES AND  
13 USE TAX COLLECTED WITHIN THE DISTRICT FOR FINANCING  
14 SUCH PROJECTS.

**Subtitle**

18 PROPOSING A CONSTITUTIONAL AMENDMENT TO  
19 AUTHORIZE CITIES AND COUNTIES TO CREATE  
20 DISTRICTS FOR DEVELOPMENT AND  
21 REDEVELOPMENT PROJECTS AND TO ISSUE SALES  
22 TAX ANTICIPATED REVENUE BONDS FOR  
23 FINANCING SUCH PROJECTS.

26 BE IT RESOLVED BY THE SENATE OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY OF THE  
27 STATE OF ARKANSAS AND BY THE HOUSE OF REPRESENTATIVES, A MAJORITY OF ALL  
28 MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

30 THAT the following is proposed as an amendment to the Constitution of  
31 the State of Arkansas, and upon being submitted to the electors of the state  
32 for approval or rejection at the next general election for Representatives  
33 and Senators, if a majority of the electors voting thereon at the election  
34 adopt the amendment, the amendment shall become a part of the Constitution of  
35 the State of Arkansas, to wit:



1 SECTION 1. The Arkansas Constitution is amended to read as follows:

2 Sales Tax Anticipated Revenue Bonds.

3 (a) A city or county may form one (1) or more districts for the  
4 purpose of financing sales tax anticipated revenue bonds within the district  
5 as provided by this amendment.

6 (b)(1) A city or county which has formed a district under this  
7 amendment may issue bonds for the purpose of financing certain costs related  
8 to a sales tax anticipated revenue bond project within the district, as  
9 determined by the General Assembly.

10 (2) The bonds may be secured by and be payable from all or a  
11 portion of the division of state sales and use taxes collected within the  
12 district under subsection (e) of this amendment.

13 (3) The bonds shall not be:

14 (A) Considered in calculating debt limits for bonds issued  
15 pursuant to Article XII, § 4, of the Arkansas Constitution; or

16 (B) Subject to the provisions of Article XVI, § 1, of the  
17 Arkansas Constitution or Amendments 62 or 65 to the Arkansas Constitution.

18 (c) For purposes of this amendment, the term "sales tax anticipated  
19 revenue bond project" means an undertaking, including without limitation the  
20 acquisition, development, redevelopment, and revitalization of land within  
21 the district, for eliminating or preventing the development or spread of  
22 slums or blighted, deteriorated, or deteriorating areas, for discouraging the  
23 loss of commerce, industry, or employment, for increasing employment, or any  
24 combination thereof, as may be defined by the General Assembly.

25 (d) Prior to a district's issuance of bonds for a sales tax  
26 anticipated revenue bond project under subsection (b) of this section, the  
27 sales tax anticipated revenue bond project shall be approved by an  
28 appropriate state agency as may be determined by the General Assembly.

29 (e)(1) The General Assembly may provide that all or a portion of the  
30 state sales and use tax collected within a district may be divided so that  
31 all or part of the increase in state sales and use tax collected by taxpayers  
32 within the district after the date on which the project plan has been  
33 approved by an appropriate state agency shall be used to pay any indebtedness  
34 incurred for the sales tax anticipated revenue bond project.

35 (2) However, there shall be excluded from the division all state  
36 sales and use taxes pledged to bond repayment or committed to other uses

1 prior to the approval of the redevelopment project.

2 (f) Any provision of the Constitution of the State of Arkansas in  
3 conflict with this section is repealed insofar as it is in conflict with this  
4 amendment.

5 (g) The General Assembly shall provide for the implementation of this  
6 amendment by law.

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