

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 880 of the Regular Session

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

As Engrossed: H3/15/11 H3/22/11

# A Bill

HOUSE BILL 1738

5 By: Representative Ingram  
6

## For An Act To Be Entitled

8 AN ACT TO PROHIBIT THE DISTRIBUTION OF INSURANCE  
9 PREMIUM TAX MONEYS TO INACTIVE FIRE DEPARTMENTS; AND  
10 FOR OTHER PURPOSES.  
11  
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## Subtitle

14 TO PROHIBIT THE DISTRIBUTION OF INSURANCE  
15 PREMIUM TAX MONEYS TO INACTIVE FIRE  
16 DEPARTMENTS.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code § 14-284-403 is amended to read as follows:  
22 14-284-403. Apportionment of funds.

23 (a)(1) These premium tax moneys are assessed for disbursement from the  
24 Fire Protection Premium Tax Fund, § 19-6-468, by the Department of Finance  
25 and Administration to the counties in the following percentages:

26 Arkansas County – 0.78%, Ashley County – 1.39%, Baxter County – 1.78%, Benton  
27 County – 3.86%, Boone County – 1.46%, Bradley County – 0.52%, Calhoun County  
28 – 0.51%, Carroll County – 0.97%, Chicot County – 0.51%, Clark County – 1.13%,  
29 Clay County – 1.10%, Cleburne County – 1.11%, Cleveland County – 0.66%,  
30 Columbia County – 1.24%, Conway County – 1.04%, Craighead County – 2.91%,  
31 Crawford County – 1.98%, Crittenden County – 1.32%, Cross County – 0.84%,  
32 Dallas County – 0.45%, Desha County – 0.71%, Drew County – 0.80%, Faulkner  
33 County – 2.30%, Franklin County – 0.97%, Fulton County – 0.84%, Garland  
34 County – 3.12%, Grant County – 1.13%, Greene County – 1.39%, Hempstead County  
35 – 1.89%, Hot Spring County – 1.46%, Howard County – 0.75%, Independence  
36 County – 1.90%, Izard County – 0.91%, Jackson County – 0.95%, Jefferson



1 County – 2.32%, Johnson County – 1.05%, Lafayette County – 0.71%, Lawrence  
 2 County – 0.96%, Lee County – 0.73%, Lincoln County – 1.12%, Little River  
 3 County – 0.77%, Logan County – 1.06%, Lonoke County – 1.70%, Madison County –  
 4 0.95%, Marion County – 1.00%, Miller County – 1.44%, Mississippi County –  
 5 1.77%, Monroe County – 0.53%, Montgomery County – 0.66%, Nevada County –  
 6 0.58%, Newton County – 0.67%, Ouachita County – 1.37%, Perry County – 0.62%,  
 7 Phillips County – 1.12%, Pike County – 0.87%, Poinsett County – 1.14%, Polk  
 8 County – 1.01%, Pope County – 1.73%, Prairie County – 0.83%, Pulaski County –  
 9 5.99%, Randolph County – 0.96%, St. Francis County – 1.45%, Saline County –  
 10 3.00%, Scott County – 0.59%, Searcy County – 0.73%, Sebastian County – 2.06%,  
 11 Sevier County – 0.82%, Sharp County – 1.30%, Stone County – 0.77%, Union  
 12 County – 2.01%, Van Buren County – 1.18%, Washington County – 3.46%, White  
 13 County – 2.71%, Woodruff County – 0.47%, Yell County – 1.11%.

14 (2)(A) The moneys shall be apportioned by each quorum court to  
 15 the districts and municipalities within the county based upon population  
 16 unless the ~~County Intergovernmental Cooperation Council~~ county  
 17 intergovernmental cooperation council notifies the quorum court of the fire  
 18 protection needs of the districts and municipalities, in which case the  
 19 moneys shall be apportioned by the quorum court based on those needs.

20 (B) The funds shall be distributed to municipalities and  
 21 those certified departments in districts ~~which~~ that are in compliance with  
 22 this subchapter, § 20-22-801 et seq., and § 6-21-106.

23 (C) Fire departments ~~which~~ that are not certified by the  
 24 Office of Fire Protection Services ~~pursuant to~~ under § 20-22-801 et seq.  
 25 shall also be eligible to receive moneys disbursed under this section so long  
 26 as all moneys received are spent directly on equipment, training, capital  
 27 improvements, or other expenditures necessary for upgrading the service  
 28 provided by the department.

29 (D)(i) An inactive fire department, as determined by the  
 30 county judge, is not eligible to receive moneys disbursed under this section.

31 (ii) Any moneys allocated by the county  
 32 intergovernmental cooperation council and any moneys that would have been  
 33 apportioned to an inactive fire department based upon population shall be  
 34 disbursed by the quorum court to the active departments based upon fire  
 35 protection needs.

36 (iii) If a quorum court has passed a resolution that

1 reallocates the moneys remaining after the disbursement of moneys under this  
2 section, then the moneys shall be reallocated based upon the quorum court  
3 resolution.

4 (b) Disbursements shall be made on forms prescribed by the Department  
5 of Finance and Administration.

6 (c) A county treasurer shall not collect the treasurer's commission  
7 provided in § 21-6-302 on any of the premium tax moneys disbursed from the  
8 Fire Protection Premium Tax Fund.

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*/s/Ingram*

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**APPROVED: 03/31/2011**

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