

**Hall of the House of Representatives**  
83rd General Assembly - Regular Session, 2001  
**Amendment Form**

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**Subtitle of House Bill No. 2021**

"TO INCREASE THE MEMBERSHIP OF ADVERTISING AND PROMOTION  
COMMISSIONS."

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**Amendment No. 2 to House Bill No. 2021.**

Amend House Bill No. 2021 as engrossed, S3/15/01:

Page 1, delete everything after the enacting clause and substitute:

"SECTION 1. Arkansas Code 26-75-605 is amended to read as follows:  
26-75-605. Advertising and promotion commissions.

(a) Any city levying a tax pursuant to this subchapter shall, by ordinance, create a city advertising and promotion commission~~...~~

(b) The city may create a commission that is composed of seven (7) members or nine (9) members.

(c)(1) A commission to be composed of seven (7) members, as follows shall include:

(1) (A)(i) ~~Four (4) Three (3) members shall be owners or managers of businesses in the tourism industry hotels, motels, or restaurants,~~ and the owner or manager shall reside in the levying city or, if the governing body of the city provides for by ordinance, the owner or manager may reside outside of the city but within the county in which the city is located, at least ~~three (3) two (2)~~ of whom shall be owners or managers of hotels, motels, or restaurants, and who shall serve for staggered terms of four (4) years.

(ii) One (1) member may also be an owner or manager of a hotel, motel, or restaurant as provided for in subdivision (c)(1)(A) or a member of the city's chamber of commerce;

(2)(B) Two (2) members of the commission shall be members of the governing body of the city and selected by the governing body and shall serve at the will of the governing body; and

(3)(C) One (1) member shall be from the public at large, who shall reside within the levying city, and shall serve for a term of four (4) years.

(b) (2) In the case of a city creating the commission authorized in this section subdivision (c)(1) after March 4, 1993, the initial members of the commission shall be selected as follows:

(1) (A) The four (4) ~~tourism industry~~ positions provided for in subdivision ~~(a)(1) (c)(1)(A)~~ of this section shall be filled by appointment made by the governing body of the city for staggered terms so

that:

~~(A) (i)~~ One (1) member will serve for a term of one (1) year;

~~(B) (ii)~~ One (1) for a term of two (2) years;

~~(C) (iii)~~ One (1) for a term of three (3) years; and

~~(D) (iv)~~ One (1) for a term of four (4) years.

~~(2) (B)~~ The at-large position provided for in subdivision ~~(a)(3) (c)(1)(C)~~ of this section shall be filled by nomination by the chief administrator of the city and approval by the governing body of the city.

~~(e) (3)~~ In the case of a city in which a city advertising and promotion commission exists on March 4, 1993, the members of the commission shall continue in office for the balance of the terms to which they have been previously appointed; provided that, if on that date no commission member has been appointed to hold an at-large position, the mayor shall designate one (1) of the commission members who is also a member of the governing body of the city to fill the at-large position provided for in subdivision ~~(a)(3) (c)(1)(C)~~ for a term of not longer than one (1) year.

~~(d) (4)~~ Vacancies on the commission, whether resulting from expiration of a regular term or otherwise, in any of the four (4) ~~tourism industry~~ positions provided for in subdivision ~~(a)(1) (c)(1)(A)~~ or in the at-large position provided for in subdivision ~~(a)(3) (c)(1)(C)~~ shall be filled by appointment made by the remaining members of the commission, ~~with the approval of the governing body of the city.~~

(d)(1) A commission composed of nine (9) members shall include:

(A)(i) Four (4) members shall be owners or managers of hotels, motels, or restaurants, and the owner or manager shall reside in the levying city or, if the governing body of the city provides for by ordinance, the owner or manager may reside outside of the city but within the county in which the city is located, at least three (3) of whom shall be owners or managers of hotels, motels, or restaurants, and who shall serve for staggered terms of four (4) years.

(ii) One (1) member may also be an owner or manager of a hotel, motel, or restaurant as provided for in subdivision (d)(1)(A) or a member of the city's chamber of commerce;

(B) Two (2) members of the commission shall be members of the governing body of the city and selected by the governing body, and shall serve at the will of the governing body; and

(C) Two (2) members shall be from the public at large, who shall reside within the levying city, and shall serve for a term of four (4) years.

(2) In the case of a city creating or expanding the commission authorized in this subdivision (d)(1) after October 1, 2001, the initial members of the commission shall be selected as follows:

(A) The five (5) positions provided for in subdivision (d)(1)(A) of this section shall be filled by appointment made by the governing body of the city for staggered terms so that:

(i) One (1) member will serve for a term of one (1) year;

(ii) One (1) for a term of two (2) years;

(iii) One (1) for a term of three (3) years; and

(iv) Two (2) for a term of four (4) years.

(B) The at-large positions provided for in subdivision

(d)(1)(C) of this section shall be filled by nomination by the chief administrator of the city and approval by the governing body of the city.

(3) In the case of a city in which a city advertising and promotion commission exists on October 1, 2001, the members of the commission shall continue in office for the balance of the terms to which they have been previously appointed; provided that, if on that date no commission member has been appointed to hold an at-large position, the mayor shall designate one (1) of the commission members who is also a member of the governing body of the city to fill the at-large position provided for in subdivision (d)(1)(C) for a term of not longer than one (1) year.

(4) Vacancies on the commission, whether resulting from expiration of a regular term or otherwise, in any of the five (5) positions provided for in subdivision (d)(1)(A) or in the at-large positions provided for in subdivision (d)(1)(C) shall be filled by appointment made by the remaining members of the commission."

**The Amendment was read** \_\_\_\_\_

**By: Representative Minton**  
**MG/VJF - 032220010826**  
**VVF301**

\_\_\_\_\_  
**Chief Clerk**