

**ARKANSAS SENATE**  
89th General Assembly - Regular Session, 2013  
**Amendment Form**

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**Subtitle of Senate Bill No. 1091**

TO LIMIT THE AD VALOREM TAX ASSESSED ON CERTAIN UTILITIES AND CARRIERS; TO AMEND  
THE DISPOSITION OF REVENUES GENERATED BY THE AD VALOREM TAX ASSESSED ON CERTAIN  
UTILITIES AND CARRIERS.

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**Amendment No. 1 to Senate Bill No. 1091**

Amend Senate Bill No. 1091 as originally introduced:

Page 1, delete lines 8 through 10

AND

Page 1, line 11, delete "CARRIERS;" and substitute "AN ACT"

AND

Delete the subtitle in its entirety and substitute:

"TO AMEND THE DISPOSITION OF REVENUES  
GENERATED BY THE AD VALOREM TAX ASSESSED  
ON CERTAIN UTILITIES AND CARRIERS."

AND

Delete everything after the enacting clause, and substitute the following:

"SECTION 1. Arkansas Code Title 19, Chapter 5, Subchapter 12, is  
amended to add an additional section to read as follows:

19-5-1249. Arkansas Port, Intermodal, and Waterway Development Grant  
Program Fund.

(a) There is created on the books of the Treasurer of State, the  
Auditor of State, and the Chief Fiscal Officer of the State a miscellaneous  
fund to be known as the "Arkansas Port, Intermodal, and Waterway Development  
Grant Program Fund".

(b) The fund shall consist of:

(1) The funds specified under § 26-26-1616(d);

(2) Grants made by any person or federal government agency; and

(3) Any other funds authorized by law.

(c) The fund shall be used by the Arkansas Waterways Commission to  
provide grants to port authorities and intermodal authorities under the



Arkansas Port, Intermodal, and Waterway Development Grant Program established under § 15-23-205.

(d) Any unexpended balance in the fund at the end of each state fiscal year shall be carried forward to the next fiscal year to be used for the same intent and purpose stated in this section.

SECTION 2. Arkansas Code § 26-26-1616(a)(1), concerning the disposition of ad valorem taxes and penalties on utilities and carriers, is amended to read as follows:

(a)(1) Except as provided in ~~subsection~~ subsections (c) and (d) of this section, all taxes and penalties collected under ~~the provisions of~~ § 26-26-1614 shall be deposited into the State Treasury as trust fund income to the credit of the Ad Valorem Tax Fund.

SECTION 3. Arkansas Code § 26-26-1616, concerning the disposition of ad valorem taxes and penalties on utilities and carriers, is amended to add an additional subsection to read as follows:

(d) The taxes and penalties collected from water transportation companies under § 26-26-1614 in excess of two million five hundred thousand dollars (\$2,500,000) shall be deposited into the State Treasury and credited to the Arkansas Port, Intermodal, and Waterway Development Grant Program Fund to be used exclusively for the purposes stated in § 15-23-205."

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Senator Files

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Secretary