

State of Arkansas

76th General Assembly

First Extraordinary Session, 1987

HOUSE BILL

1028

By: Representative Dawson

"AN ACT TO AMEND SECTION 1 OF ACT 761 OF 1983 [ARK. STAT. 84-2102.12] TO INCREASE THE SEVERANCE TAX ON STONE AND CRUSHED STONE; AND FOR OTHER PURPOSES."

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

SECTION 1. Section 1 of Act 761 of 1983, the same being Arkansas Statute 84-2102.12, is hereby amended to read as follows:

"Section 1. There is hereby levied and there shall be collected from each producer of the following natural resources in this State, an additional privilege or license tax to be known as an additional severance tax, such additional severance tax to be paid to the Revenue Commissioner and to be pre-dicated upon the quantity severed at the following rate:

On stone and crushed stone, including but without limitation thereto, chert, granite, slate, novaculite and limestone (excluding limestone used for agricultural purposes), construction sand, gravel, clay, chalk, shale and marl, nine cents (9_) per ton. The tax levied by this section shall be in addition to the severance tax levied by Section 2 of Act 136 of 1947, as amended, Arkansas Statute 84-2102. All taxes, penalties and costs collected by the Revenue Commissioner under the provisions of this Act shall be deposited in the State Treasury to the credit of the State Apportionment Fund; and the State Treasurer on or before the fifth of the month next following the month during which such funds shall have been received by him, shall allocate the same in the manner hereinafter provided:

(A) Three percent (3%) of the amount thereof to the General Revenue Fund to be used for defraying the necessary expenses of the State government; and

(B) Ninety-seven percent (97%) of the amount thereof, as follows:

(1) Twenty-five percent (25%) of such amount of the severance taxes, penalties and costs, except those on timber and timber products, shall be

'special revenues' and shall be allocated to the County Aid Fund.

On or before the tenth of the month following the end of each calendar quarter, the State Treasurer shall remit by State warrants to the various county treasurers all such funds theretofore received by him during such quarterly period and transferred to the County Aid Fund in the proportions thereof as between the respective counties that, as certified by the commissioner to the State Treasurer, the total severance tax produced from each such county bears to the total of such taxes produced from all counties.

Upon receipt of any such taxes, each county treasurer shall credit fifty percent (50%) of such amount to the County General School Fund and fifty percent (50%) of such amount to the County Highway Fund, for use for the same purposes as other moneys credited to the respective said future funds.

(2) Seventy-five percent (75%) shall be 'special revenues' and shall be credited to the County Aid Fund and on or before the tenth of the month following the end of each calendar quarter shall be remitted by the State Treasurer by State warrant to the various county treasurers on the basis of the formula applied in allocating or distributing county aid highway funds from the County Aid Fund. All such funds so received by each county shall be used exclusively for construction, reconstruction, maintenance and repair of county roads and bridges in the county."

SECTION 2. All laws and parts of laws in conflict with this Act are hereby repealed.

