

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1678

By: Representative Dawson

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE TITLE 26, CHAPTER 58,
SUBCHAPTER 1 TO IMPOSE AN ADDITIONAL SEVERANCE TAX ON
CERTAIN ITEMS; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code Title 26, Chapter 58, Subchapter 1, is hereby amended to add an additional section to read as follows:

"26-58-126. There is imposed an additional severance tax on stone and crushed stone, including but without limitations thereto, chert, granite, slate, novaculite and limestone, excluding limestone used for agricultural purposes, construction sand, gravel, clay, chalk, shale, and marl. The additional severance tax is to be predicated upon the quantity severed. Beginning July 1, 1989, the rate of the additional tax imposed by this section shall be one cent (1_) per ton. Beginning July 1, 1990 and thereafter, the rate of the tax imposed by this section shall be two cents (2_) per ton.

(b) The tax levied by this section shall be in addition the severance tax levied by Arkansas Code 26-58-107 and the additional severance tax levied by Arkansas Code 26-58-113.

(c) The additional severance tax is to be paid to the director.

(d) (1) All taxes, penalties and costs collected by the director under the provisions of this section shall be deposited in the State Treasury to the credit of the State Apportionment Fund.

(2) The Treasurer of the State, 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 as follows:

(A) Three percent (3%) of the amount thereof to the

Constitutional Officers Fund and State Central Services Fund to be used for defraying the necessary expenses of the state government; and

(B) Ninety-seven percent (97%) of the amount thereof shall be special revenues and shall be allocated to the County Aid Fund.

(i) On or before the tenth of the month following the end of each calendar quarter, the State Treasurer shall remit by state warrant to the various county treasurers all such funds received by him during the quarterly period and transferred to the County Aid Fund pursuant to this section in the proportion thereof as between the respective counties that, as certified by the director to the Treasurer of State, the total severance tax produced under this section from each county bears to the total such tax produced from all counties.

(ii) Upon receipt of any such taxes, each county treasurer shall credit the amount to the County Highway Fund for use for the same purposes as other moneys credited to the Fund.

(e) The additional severance taxes levied by this section shall be collected in the same manner prescribed by this subchapter.

(f) The violation of this section shall subject the violator to penalties prescribed by this subchapter."

SECTION 2. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 4. Emergency. It is hereby found and determined by the General Assembly that there is an urgent need by counties for additional revenues for county roads and highways; that this act provides additional revenues to certain counties; and that this act should become effective immediately. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1989.

