

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**

A Bill

HOUSE BILL

4 **By: Representatives McCuiston, McGee, Mullenix, Allen and Parkerson**

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For An Act To Be Entitled

8 "AN ACT TO AMEND TITLE 23, CHAPTER 110, SUBCHAPTER 4 AND
9 CHAPTER 111, SUBCHAPTER 5 TO MAKE THE SALE OR ATTEMPTED
10 SALE OF A RACING PASS A CLASS B MISDEMEANOR; AND FOR OTHER
11 PURPOSES."

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

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15 SECTION 1. Arkansas Code §23-110-411(b) is hereby amended to read as
16 follows:

17 "(b) (1) The issuance of all tax-free passes shall be under the
18 regulations or orders of the commission.

19 (2) It shall be unlawful for any person, corporation, firm,
20 partnership, or any other entity, to sell or offer for sale, for any
21 consideration, any tax-free pass issued by the commission for general
22 admission to the racing facility of any franchise holder.

23 (3) Any person, corporation, firm, partnership, or other entity,
24 who sells or offers for sale tax-free passes shall, upon conviction, be guilty
25 of a Class B misdemeanor. The penalty for each such offense shall be a fine
26 in an amount not to exceed five hundred dollars (\$500) or imprisonment for a
27 period of time not to exceed ninety (90) days, or both."

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29 SECTION 2. Arkansas Code §23-111-510(b) is hereby amended to read as
30 follows:

31 "(b) (1) The issuance of all tax-free passes shall be under the
32 regulations or orders of the commission.

33 (2) It shall be unlawful for any person, corporation, firm,
34 partnership, or any other entity, to sell or offer for sale, for any
35 consideration, any tax-free pass issued by the commission for general

1 admission to the racing facility of any franchise holder.

2 (3) Any person, corporation, firm, partnership, or other entity,
3 who sells or offers for sale tax-free passes shall, upon conviction, be guilty
4 of a Class B misdemeanor. The penalty for each such offense shall be a fine
5 in an amount not to exceed five hundred dollars (\$500) or imprisonment for a
6 period of time not to exceed ninety (90) days, or both."

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8 SECTION 3. All provisions of this act of a general and permanent nature
9 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
10 Revision Commission shall incorporate the same in the Code.

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12 SECTION 4. If any provision of this act or the application thereof to
13 any person or circumstance is held invalid, such invalidity shall not affect
14 other provisions or applications of the act which can be given effect without
15 the invalid provision or application, and to this end the provisions of this
16 act are declared to be severable.

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18 SECTION 5. All laws and parts of laws in conflict with this act are
19 hereby repealed.

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