

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**

A Bill

HOUSE BILL

4 **By: Representatives Brown and Stephens**

5

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For An Act To Be Entitled

8 "AN ACT TO CREATE THE ARKANSAS NATURAL HAZARDS RISK
9 REDUCTION PROGRAM OF TRAINING AND TECHNOLOGY TRANSFER
10 WITHIN THE STATE OFFICE OF EMERGENCY SERVICES, TO LEVY A
11 GRADUATED FEE ON ALL NEW CONSTRUCTION PROJECTS AND
12 BUILDING IMPROVEMENTS TO EXISTING STRUCTURES IN ARKANSAS;
13 TO PROVIDE FOR THE COLLECTION AND REMITTING OF THE FEES BY
14 LOCAL GOVERNMENTS; AND FOR OTHER PURPOSES."

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Subtitle

17 "AN ACT TO CREATE THE NATURAL HAZARDS RISK REDUCTION
18 PROGRAM OF TRAINING AND TECHNOLOGY TRANSFER WITHIN THE
19 STATE OES AND LEVY A FEE ON BUILDING PROJECTS."

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

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23 SECTION 1. This Act may be known and shall be cited as the "Arkansas
24 Natural Hazards Risk Reduction Act".

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26 SECTION 2. The purpose of this Act shall be to provide for the
27 education and transfer of technology to architects, engineers, contractors,
28 and other professionals engaged in the design, construction, and related
29 industries for improving the quality of building construction in Arkansas
30 regarding natural disasters and for the dissemination of information of a less
31 formal nature to the general public to reduce risks posed by earthquakes,
32 tornadoes, and other natural disasters in Arkansas.

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34 SECTION 3.(a) The State Office of Emergency Services is hereby
35 authorized to provide a program of education and training for and transfer

1 technology to architects, engineers, contractors, and other professionals
2 engaged in the design, construction, and related industries for the purpose of
3 improving the quality of building construction in Arkansas to reduce risks
4 posed by earthquakes, tornadoes, and other natural disasters.

5 (b) The State Office of Emergency Services, in coordination with local
6 political subdivisions where possible, is authorized to offer programs for the
7 dissemination of information of a less formal nature to the general public for
8 the overall purpose of improving the quality of response to and to reduce the
9 risks posed by earthquakes, tornadoes, and other natural disasters to homes,
10 businesses, and schools in Arkansas and to improve community response under
11 the Arkansas Earthquake Preparedness Act, Arkansas Code §§ 12-77-101 et seq.

12 (c) The State Office of Emergency Services is authorized to offer
13 programs of education and training to architects, engineers, contractors, and
14 other professionals engaged in the design, construction, and related
15 industries and to municipal code enforcement and building inspection officials
16 for the purpose of improving the earthquake resistant design of public
17 structures and to reduce risks posed by earthquakes under the purposes of Act
18 1100 of 1991, regarding the seismic resistant design of public buildings,
19 especially in those areas of Arkansas under the highest threat from the New
20 Madrid Seismic Zone.

21 (d) The State Office of Emergency Services is authorized to contract
22 with private professional organizations and institutions of higher education
23 to develop programs of training and education and to transfer technology to
24 contractors and professionals in the design, construction, and building
25 industries and to develop information and educational materials of a less
26 formal nature for the general public regarding earthquakes, tornadoes, and
27 other natural disasters in Arkansas.

28 (e) The State Office of Emergency Services is authorized to promulgate
29 any and all necessary rules and regulations to accomplish the purposes of this
30 Act and is authorized to operate the programs to provide and disseminate the
31 information and training as authorized under this Act.

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33 SECTION 4. On and after October 1, 1993, there is hereby levied on each
34 new construction project, new structure, and building improvement to an
35 existing structure in Arkansas requiring a building permit a graduated fee

1 based on the overall cost of the construction project or improvement as
2 follows:

3 (1) One dollar (\$1.00) for each new construction project, new structure,
4 or building improvement with a cost of twenty thousand dollars (\$20,000) or
5 less;

6 (2) One dollar and fifty cents (\$1.50) for each additional ten thousand
7 dollars (\$10,000) of cost on a new construction project, new structure, and
8 building improvement with a cost up to five hundred thousand dollars
9 (\$500,000); and

10 (3) One dollar (\$1.00) for each additional ten thousand dollars
11 (\$10,000) of cost on a new construction project, new structure, and building
12 improvement with costs in excess of five hundred thousand dollars (\$500,000).
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14 SECTION 5. There is hereby created on the books of the State Treasurer,
15 State Auditor, and the Chief Fiscal Officer of the State a special fund to be
16 known as the Office of Emergency Services-Natural Hazards Risk Reduction Fund.
17 The OES-Natural Hazards Risk Reduction Fund shall be used exclusively by the
18 State Office of Emergency Services to fund programs for the education and
19 training and for the transfer of technology to contractors and professionals
20 engaged in the design, construction, and building related industries for
21 improving the quality of building construction in Arkansas and for the
22 dissemination of information of a less formal nature to the general public to
23 reduce risks posed by earthquakes, tornadoes, and other natural disasters.
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25 SECTION 6. On and after October 1, 1993, any municipality or county in
26 Arkansas where a building permit is required for a new construction project, a
27 new structure, or a building improvement to an existing structure in Arkansas
28 shall be responsible for collecting the fees levied under this Act at the time
29 of issuance of a building permit. These funds shall be collected and
30 deposited in the municipal or county treasury. On or before the fifth day of
31 each calendar month, the municipal treasurer or county treasurer shall remit,
32 less ten percent (10%) which may be retained by the municipality or county for
33 administration costs, the funds received from these fees in the preceding
34 calendar month to the Department of Finance and Administration. The
35 Department shall deposit the funds in the State Treasury as special revenues

1 to the credit of the OES-Natural Hazards Risk Reduction Fund, and those funds
2 are to be used by the State Office of Emergency Services to carry out the
3 purposes of this Act.

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5 SECTION 7. All provisions of this Act of general and permanent nature
6 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
7 Revision Commission shall incorporate the same in the Code.

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9 SECTION 8. If any provisions of this Act or the application thereof to
10 any person or circumstance is held invalid, the invalidity shall not affect
11 other provisions or applications of the act which can be given effect without
12 the invalid provisions or application, and to this end the provisions of this
13 act are declared to be severable.

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15 SECTION 9. All laws and parts of laws in conflict with this Act are
16 hereby repealed.

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