

1 State of Arkansas  
2 80th General Assembly  
3 Regular Session, 1995

# A Bill

HOUSE BILL 1269

4 By: Representatives McGee, Cash, and Ferrell

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## For An Act To Be Entitled

8 *"AN ACT TO AMEND ARK. CODE § 17-22-404 TO PROVIDE THAT THE*  
9 *CONTRACTOR'S LICENSING SURETY BOND DOES NOT APPLY TO*  
10 *INCOME TAXES AND THAT THE BOND SHALL COVER APPLICABLE*  
11 *TAXES OR ASSESSMENTS WHICH ARISE OUT OF WORK PERFORMED*  
12 *DURING THE TIME PERIOD COVERED BY THE BOND; AND FOR OTHER*  
13 *PURPOSES."*

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## Subtitle

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

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25 *SECTION 1. Ark. code § 17-22-404(b)(3) is amended to read as follows:*

26 *"(3) Conditioned on the contractor complying with the tax laws of the*  
27 *state of Arkansas, other than income taxes, and when applicable, any city,*  
28 *county, school district, state agency, or other political subdivision of the*  
29 *state, the Arkansas Employment Security Act, § 11-10-101, et seq., the*  
30 *Workers' Compensation law, § 11-10-101, et seq., and the provisions of this*  
31 *subchapter and the bond shall cover such taxes or assessments, other than*  
32 *income taxes, which arise out of work performed by the contractor during the*  
33 *time period covered by the bond."*

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35 *SECTION 2. All provisions of this act of a general and permanent*

1 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
2 Code Revision Commission shall incorporate the same in the Code.

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4 SECTION 3. If any provision of this act or the application thereof to  
5 any person or circumstance is held invalid, such invalidity shall not affect  
6 other provisions or applications of the act which can be given effect without  
7 the invalid provision or application, and to this end the provisions of this  
8 act are declared to be severable.

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10 SECTION 4. All laws and parts of laws in conflict with this act are  
11 hereby repealed.

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13 SECTION 5. *EMERGENCY. It is hereby found and determined by the*  
14 *General Assembly that the present law that requires surety bonds be*  
15 *conditioned upon the tax laws of Arkansas are restricting the availability of*  
16 *surety bonds due to the requirement that they be conditioned upon compliance*  
17 *with the income tax laws of this state; that surety bonds should be as*  
18 *readily available as possible in order to comply with the various*  
19 *requirements of Arkansas law; that this act will result in surety bonds*  
20 *becoming more widely available; and that this act should therefore go into*  
21 *effect immediately. Therefore, an emergency is hereby declared to exist, and*  
22 *this act being immediately necessary for the preservation of the public*  
23 *peace, health, and safety shall be in full force and effect from and after*  
24 *its passage and approval.*

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*/s/Representatives McGee, et al*

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*As Engrossed: 3/20/95 4/7/95*

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