

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

A Bill

HOUSE BILL 1383

4 By: Representatives Jones, Luker, Vess, K. Wood, Bennett, B. Wood, Whorton,
5 Hudson, G. Hendrix, Young, Sheppard, Ammons, Wooldridge, DeLay, Angel,
6 Thomas, Calhoun, Ray, Lynn, Fletcher, Pappas, Wilkinson, Johnson, Simmons,
7 Simon, Molinaro, Courtway, Watts, Critcher, and Davis

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For An Act To Be Entitled

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11 "AN ACT TO RESTRICT THE IMPOSITION OF MANDATED COSTS UPON
12 LOCAL GOVERNMENT; TO DECLARE AN EMERGENCY; AND FOR OTHER
13 PURPOSES."

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Subtitle

16 "TO RESTRICT MANDATED COSTS ON LOCAL
17 GOVERNMENTS"

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

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21 SECTION 1. (a) Proposed legislation *which mandates* costs on local
22 government shall require a two-thirds (2/3) vote of the full membership of
23 *each house of the General Assembly. Any* legislation enacted in violation of
24 this act shall be void ab initio.

25 (b) A "mandate" is a requirement upon a municipal or county government
26 *directing that a new obligation be undertaken which requires an expenditure*
27 *by municipal or county government. Mandates include required add-on utility*
28 *charges.*

29 (c) *This act does not apply to bills pertaining to the funding of*
30 *public schools.*

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

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

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8 hereby repealed.

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10 SECTION 5. EMERGENCY. It is hereby found and determined by the
11 Eightieth General Assembly of the State of Arkansas that the present law
12 pertaining to the imposition of direct costs and other financial
13 responsibilities upon local governments has burdened local governments to the
14 extent that they are unable to properly respond to the needs of their
15 citizens and that this condition should be remedied immediately. Therefore,
16 an emergency is hereby declared to exist and this act being necessary for the
17 immediate preservation of the public peace, health, and safety, shall be in
18 full force and effect from and after its passage and approval.

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/s/Rep. Jones, et al

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As Engrossed: 3/30/95

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