

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

As Engrossed: H3/10/97 S3/27/97

## A Bill

HOUSE BILL 1748

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5 *By: Representatives Hausam, Bryant, McJunkin, Hunton, Fuqua, Stewart, and Mac McGehee*  
6 *By: Senator Brown*

### For An Act To Be Entitled

10 "AN ACT TO AMEND ARKANSAS CODE 14-362-109(16) TO AUTHORIZE  
11 REGIONAL AIRPORT AUTHORITIES TO LEVY A TAX NOT TO EXCEED  
12 THE AMOUNT ALLOWED BY FEDERAL LAW ON PASSENGERS BOARDING  
13 OR DISEMBARKING AIRCRAFT AT FACILITIES OF THE AUTHORITIES;  
14 TO AMEND ARKANSAS CODE 19-9-604(5) CONCERNING THE  
15 DEFINITION OF <sup>Ⓢ</sup>GOVERNING BODY<sup>■</sup> AS USED IN THE REVENUE BOND  
16 ACT OF 1987; AND FOR OTHER PURPOSES."

### Subtitle

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19 "AUTHORIZE REGIONAL AIRPORT AUTHORITIES  
20 TO LEVY A TAX NOT TO EXCEED THE FEDERAL  
21 MAXIMUM ON PASSENGERS BOARDING OR  
22 DISEMBARKING AIRCRAFT; TO REVISE THE  
23 DEFINITION OF <sup>Ⓢ</sup>GOVERNING BODY<sup>■</sup> AS USED  
24 IN THE REVENUE BOND ACT OF 1987."

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

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28 SECTION 1. Arkansas Code 14-362-109(16) is amended to read as follows:  
29 "(16) To levy and collect a tax, in an amount not to exceed ~~one dollar~~  
30 ~~(\$1.00)~~ the maximum amount per passenger, allowed by the federal government on  
31 the boarding or disembarking of aircraft at the airport or airports of the  
32 authority. The tax shall be levied upon and collected from the passengers  
33 boarding or disembarking from the aircraft or the airlines operating the  
34 aircraft, and the authority is empowered to make reasonable classifications of  
35 passengers for this purpose;"

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SECTION 2. Arkansas Code 19-9-604(5), concerning the definition of Governing body as used in the Revenue Bond Act of 1987, is amended to read as follows:

Ⓢ(5) ⓈGoverning body<sup>1</sup> means:

(A) With respect to any governmental unit described in subdivision (4)(A) of this section, the Governor of the State of Arkansas; ~~and~~

(B) With respect to any governmental unit described in subdivision (4)(B) of this section, the county court of a county, the board of directors of a regional water distribution district, or the council, board of directors, board of commissioners, or similar elected body of a city or town-; and

(C) With respect to any authority created pursuant to § 14-362-101 et seq. between any two (2) or more political subdivisions of the State of Arkansas, the Governor of the State of Arkansas, the county court of a county participation in the agreement, or the council, board of directors, board of commissioners, or similar elected body of a city or town participating in the agreement.<sup>1</sup>

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

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

SECTION 6. EMERGENCY. It is found and determined by the General Assembly of the State of Arkansas that this act clarifies the definition of governing body as used in the Revenue Bond Act of 1987 and that this act is immediately necessary to clarify the law and to avoid undue hardship and

1 potential economic loss to governing bodies. Therefore, an emergency is  
2 declared to exist and this act being immediately necessary for the  
3 preservation of the public peace, health and safety shall become effective on  
4 the date of its approval by the Governor. If the bill is neither approved nor  
5 vetoed by the Governor, it shall become effective on the expiration of the  
6 period of time during which the Governor may veto the bill. If the bill is  
7 vetoed by the Governor and the veto is overridden, it shall become effective  
8 on the date the last house overrides the veto.

9 /s/Rep. Hausam et al

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