

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: S3/17/97

A Bill

SENATE BILL 666

4
5 By: Senator Argue

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 14-164-401, ET SEQ. TO
10 PROVIDE DEFINITIONS OF REVENUES AND REVENUE BONDS; TO
11 PROVIDE ADDITIONAL PROTECTION TO THE HOLDERS AND OWNERS OF
12 BONDS ISSUED UNDER PROVISIONS OF THE LOCAL GOVERNMENT
13 CAPITAL IMPROVEMENT BOND ACT OF 1985; AND FOR OTHER
14 PURPOSES."

Subtitle

15
16
17 "AN ACT TO AMEND ARKANSAS CODE 14-164-
18 401, ET SEQ. TO PROVIDE DEFINITIONS OF
19 REVENUES AND REVENUE BONDS; AND FOR
20 OTHER PURPOSES."

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

23
24 SECTION 1. Arkansas Code 14-164-402(12) pertaining to the definitions
25 is amended to read as follows:

26 "(12) Revenues means project revenues or any other special fund or
27 source other than taxes or assessments for local improvements including,
28 without limitation, any acquired with bond proceeds and the revenues to be
29 derived from them, and any other user fees, charges or revenues derived from
30 the operations of any municipality or county and any agency, board,
31 commission, or instrumentality thereof."

32
33 SECTION 2. Arkansas Code 14-164-402 pertaining to definitions is
34 amended by adding an additional subdivision to read as follows:

35 "(13) Revenue Bonds means all bonds, notes, certificates or other
36 instruments or evidences of indebtedness, the repayment of which is secured by

1 user fees, charges or other revenues, other than assessments for local
 2 improvements and taxes:
 3 (i) derived from the project or improvements financed in
 4 whole or in part by such bonds, notes, certificates or other instruments or
 5 evidences of indebtedness;
 6 (ii) from the operations of any governmental unit; or
 7 (iii) from any other special fund or source other than
 8 assessments for local improvements and taxes."

9
 10 SECTION 3. Arkansas Code Annotated 14-164-411 is amended to read as
 11 follows:

12 "14-164-411. Bonds - Payment - Security.
 13 (a) The principal of and interest on the revenue bonds issued pursuant
 14 to this act shall be secured by a pledge of, and shall be payable from, the
 15 ~~revenues so designated by the ordinance for the purpose of securing and paying~~
 16 ~~the bonds,~~ as defined in this subchapter.
 17 (b) Notwithstanding any provision of Arkansas law including, but not
 18 limited, Arkansas Code Annotated § 14-200-101, et seq., in any municipality or
 19 county in which revenues have been pledged to secure the payment of revenue
 20 bonds as authorized by this subchapter, the portion of the revenues pledged to
 21 retire the revenue bonds shall not, except as permitted by the ordinance,
 22 order or trust indenture pursuant to which such revenue bonds are issued and
 23 secured, be repealed, abolished, or reduced so long as such revenue bonds, and
 24 any bonds issued to refund such revenue bonds, are outstanding."

25
 26 SECTION 4. All provisions of this act of a general and permanent nature
 27 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
 28 Revision Commission shall incorporate the same in the Code.

29
 30 SECTION 5. If any provision of this act or the application thereof to
 31 any person or circumstance is held invalid, such invalidity shall not affect
 32 other provisions or applications of the act which can be given effect without
 33 the invalid provision or application, and to this end the provisions of this
 34 act are declared to be severable.

35
 36 SECTION 6. All laws and parts of laws in conflict with this act are

1 hereby repealed.

2

/s/Argue

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35