

State of Arkansas

As Engrossed: H1/18/99 H3/19/99

82nd General Assembly

Regular Session, 1999

HJR 1004

By: Representatives Glover, *Bennett, T. Thomas, Sheppard, Parks, Shoffner, Harris, Trammell, Files, Minton, Womack, Haak, Scrimshire, Creekmore, Bledsoe, Eason, Simmons, Bevis, Lancaster*

By: *Senator Webb*

HOUSE JOINT RESOLUTION

"PROPOSING AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO PROHIBIT THE GENERAL ASSEMBLY FROM ENACTING A LAW TO LEVY A TAX OR FEE OR TO INCREASE THE RATE OF CERTAIN TAXES OR FEES EXCEPT UPON THE VOTE OF THREE-FIFTHS (3/5) OF THE TOTAL MEMBERSHIP OF EACH HOUSE; TO PROHIBIT THE GENERAL ASSEMBLY FROM ENACTING A LAW TO DECREASE THE RATE OF ANY TAX OR PROVIDING A TAX EXCEPTION, CREDIT, EXCLUSION OR DEDUCTION EXCEPT UPON THE VOTE OF A MAJORITY OF THE MEMBERS ELECTED TO EACH HOUSE; TO PROHIBIT THE GENERAL ASSEMBLY FROM ENACTING A LAW REMOVING A TAX EXEMPTION, CREDIT, EXCLUSION OR DEDUCTION EXCEPT UPON THE AFFIRMATIVE VOTE OF THREE-FIFTHS (3/5) OF THE TOTAL MEMBERSHIP OF EACH HOUSE; AND FOR OTHER PURPOSES. "

Subtitle

"TO PROHIBIT AN INCREASE IN CERTAIN TAX RATES OR FEES EXCEPT ON A 3/5 VOTE; TO PREVENT A DECREASE IN ANY TAX RATE EXCEPT ON A MAJORITY VOTE; TO PROHIBIT REMOVING A TAX EXEMPTION EXCEPT ON A 3/5 VOTE. "

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SECOND GENERAL ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE SENATE, A MAJORITY OF ALL MEMBERS

1 ELECTED TO EACH HOUSE AGREEING THERETO:

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3 That the following is hereby proposed as an amendment to the
4 Constitution of the State of Arkansas, and upon being submitted to the
5 electors of the state for approval or rejection at the next general election
6 for Representatives and Senators, if a majority of the electors voting thereon
7 at such election, adopt such amendment, the same shall become a part of the
8 Constitution of the State of Arkansas, to wit:

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10 SECTION 1. (a) Beginning January 1, 2001, the General Assembly may
11 enact a law to levy a tax or fee or to increase the rate of any tax or fee
12 only upon the affirmative vote of three-fifths (3/5) of the members elected to
13 each house of the General Assembly unless the levy or increase requires a
14 three-fourths (3/4) vote under Article 5, Section 38 of the Constitution.

15 (b) The General Assembly shall not, after December 31, 2000, enact a
16 law to decrease the rate of any tax or to provide a tax exemption, credit,
17 exclusion or deduction except upon the affirmative vote of a majority of the
18 total membership elected to each house of the General Assembly.

19 (c) The General Assembly shall not, after December 31, 2000, enact a
20 law to remove a tax exemption, credit, exclusion or deduction except upon the
21 affirmative vote of three-fifths (3/5) of the members elected to each house of
22 the General Assembly.

23 /s/ Glover, et al
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