

**Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.**

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001

# A Bill

SENATE BILL 62

4  
5 By: Senators T. Smith, Faris, Horn  
6 By: Representatives R. Smith, Moore, Mathis, Rodgers, Gillespie

## For An Act To Be Entitled

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9  
10 AN ACT TO AMEND ARKANSAS CODE 23-110-105 TO CLARIFY  
11 THE DISTRIBUTION OF RACING PASSES; AND FOR OTHER  
12 PURPOSES.

### Subtitle

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15 TO AMEND ARKANSAS CODE 23-110-105 TO  
16 CLARIFY THE DISTRIBUTION OF RACING  
17 PASSES.

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19  
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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22 SECTION 1. Arkansas Code 23-110-105 is amended to read as follows:  
23 23-110-105. Racing passes.

24 The Director of the Department of Finance and Administration shall set a  
25 maximum number of racing passes to be printed and issued annually and it shall  
26 not be less than the number printed in 1990. Racing passes provided to and  
27 accepted by members of the General Assembly and constitutional officers are to  
28 be distributed by them to their constituents in order to provide for a  
29 statewide distribution of the racing passes and to persons residing outside  
30 the State of Arkansas in order to promote tourism and advance the economic  
31 interests of the state. Such passes provided to the members of the General  
32 Assembly and constitutional officers are not for their personal use but are  
33 for redistribution as provided in this section and therefore do not constitute  
34 gifts or compensation to members of the General Assembly and constitutional  
35 officers for the purposes of any law of this State. This section does not  
36 prohibit members of the General Assembly and constitutional officers from

1 redistributing racing passes to other members of the General Assembly or other  
2 State constitutional officers.

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4 SECTION 2. EMERGENCY CLAUSE. It is hereby found and determined by the  
5 Eighty-third General Assembly that the distribution of horse racing passes by  
6 members of the General Assembly and constitutional officers results in a  
7 statewide distribution of those passes and because of the racial diversity of  
8 the membership of the General Assembly, it also further assures that the  
9 passes will be distributed in a racially diverse manner; that the General  
10 Assembly has great interest in promoting and nourishing tourism within the  
11 state and its distribution of passes to out-of-state persons will further the  
12 objective of the state to encourage tourism and profit thereby; that this act  
13 makes clear that members of the General Assembly and constitutional officers  
14 are merely conduits to accomplish the stated purposes of issuance of racing  
15 passes and that the passes do not constitute gifts or compensation to the  
16 membership of the General Assembly or constitutional officers; and unless this  
17 emergency clause is adopted, this act may not go into effect until after the  
18 current racing season. Therefore, an emergency is declared to exist and this  
19 act being immediately necessary for the preservation of the public peace,  
20 health and safety shall become effective on the date of its approval by the  
21 Governor. If the bill is neither approved nor vetoed by the Governor, it  
22 shall become effective on the expiration of the period of time during which  
23 the Governor may veto the bill. If the bill is vetoed by the Governor and the  
24 veto is overridden, it shall become effective on the date the last house  
25 overrides the veto.