

State of Arkansas
85th General Assembly
Regular Session, 2005

A Bill

HOUSE BILL 1131

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR THE REFUND OF
LOCAL SALES AND USE TAXES BY THE OFFICE OF THE
TREASURER OF STATE FOR THE BIENNIAL PERIOD ENDING
JUNE 30, 2007; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE OFFICE OF THE TREASURER
OF STATE - REFUND OF LOCAL TAXES
APPROPRIATION FOR THE 2005-2007
BIENNIUM.

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

SECTION 1. APPROPRIATION - CITY SHARE. There is hereby appropriated, to the Office of the Treasurer of State, to be payable from the Local Sales and Use Tax Trust Fund, for refunding each city's share of local sales and use taxes assessed by authority of Arkansas Code 26-75-307 by the Office of the Treasurer of State for biennial period ending June 30, 2007, the following:

ITEM	FISCAL YEARS	
NO.	2005-2006	2006-2007
(01) REFUNDS - CITY SHARE	\$ 500,000,000	\$ 500,000,000

SECTION 2. APPROPRIATION - COUNTY SHARE. There is hereby appropriated, to the Office of the Treasurer of State, to be payable from the Local Sales and Use Tax Trust Fund, for refunding each county's share of local sales and use



taxes as assessed by authority of Arkansas Code 26-74-307 by the Office of the Treasurer of State for the biennial period ending June 30, 2007, the following:

ITEM	FISCAL YEARS	
NO.	2005-2006	2006-2007
(01) REFUNDS - COUNTY SHARE	<u>\$ 600,000,000</u>	<u>\$ 600,000,000</u>

SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by this act shall be limited to the appropriation for such agency and funds made available by law for the support of such appropriations; and the restrictions of the State Procurement Law, the General Accounting and Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures and Restrictions Act, or their successors, and other fiscal control laws of this State, where applicable, and regulations promulgated by the Department of Finance and Administration, as authorized by law, shall be strictly complied with in disbursement of said funds.

SECTION 4. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 2005 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 2005 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being

necessary for the immediate preservation of the public peace, health and
safety shall be in full force and effect from and after July 1, 2005.