

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 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H2/16/05

A Bill

HOUSE BILL 1526

5 By: Representative T. Hutchinson
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For An Act To Be Entitled

9 AN ACT TO DISTRIBUTE AD VALOREM TAX COLLECTED
10 FROM TRUCKING COMPANIES, BUS LINES, AIRLINES, AND
11 OTHER TRANSPORTATION COMPANIES TO ARKANSAS
12 COUNTIES; AND FOR OTHER PURPOSES.
13

Subtitle

15 AN ACT TO DISTRIBUTE AD VALOREM TAX
16 COLLECTED FROM TRUCKING COMPANIES, BUS
17 LINES, AIRLINES, AND OTHER
18 TRANSPORTATION COMPANIES TO ARKANSAS
19 COUNTIES.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 26-26-1616 is amended to read as follows:
25 26-26-1616. Disposition of taxes and penalties.

26 (a)(1) Except as provided in subsection (c) of this section, all taxes
27 and penalties collected under the provisions of § 26-26-1614 shall be
28 deposited in the State Treasury as trust fund income to the credit of the Ad
29 Valorem Tax Fund.

30 (2)(A) The State Treasurer shall annually transmit to the
31 respective county treasurers of the several counties of this state the
32 proportionate part of the fund coming from the source that the improved state
33 highway mileage in each county bears to the improved state highway mileage in
34 all counties, the highway mileage figures to be furnished by the Arkansas
35 State Highway and Transportation Department on request of the State
36 Treasurer.



1 (B) The respective county treasurers shall prorate the
2 amount so received among the several county funds, school districts, and
3 municipalities of the county in the same ratio that the taxes received from
4 the millage levy by each bore to the total taxes from the millage levy
5 received by all county funds, school districts, and municipalities, according
6 to the local collector's settlement for the particular assessment year.

7 (b)(1) ~~So long as any agency of this state shall have the function or~~
8 ~~be charged with the duty of making audits of the records and accounts of the~~
9 ~~officers and employees of counties, municipalities, or school districts or so~~
10 ~~long as any agency of this state shall have the function or be charged with~~
11 ~~the duty of assessing the property referred to in this subchapter or so long~~
12 ~~as any agency of this state shall have the function or be charged with the~~
13 ~~duty of furnishing guidance, instruction, and assistance to the county~~
14 ~~assessor in the performance of his duties, then the aggregate total amount~~
15 ~~expended by this state in the performance and carrying out of the functions~~
16 ~~and duties indicated described in this subsection (b) shall be a proper~~
17 ~~charge against the taxes and penalties credited to the fund under subsection~~
18 ~~(a) of this section.~~

19 (2) It shall be the duty of the Chief Fiscal Officer of the
20 State to annually determine the amount of these costs and to certify to the
21 State Treasurer the amount that the aggregate of the taxes and penalties
22 exceeds these costs in order that the excess may be transmitted to the
23 respective county treasurers as provided in this section.

24 (c)(1) The first one hundred thousand dollars (\$100,000) collected in
25 taxes and penalties under § 26-26-1614 during each fiscal year shall be
26 deposited to the State Treasury as nonrevenue receipts credited to the State
27 Central Services Fund for use by the Revenue Division of the Department of
28 Finance and Administration.

29 (2) No funds collected pursuant to § 26-26-1614 shall be
30 withheld by the state if those funds were collected under the authority of
31 Arkansas Constitution, Amendment 74, Part (b)(1).

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33 /s/ T. Hutchinson
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