

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

# A Bill

HOUSE BILL 2475

4  
5 By: Representatives Glidewell, Medley, Childers  
6 By: Senator Altes

## For An Act To Be Entitled

10 AN ACT TO AMEND THE PROCEDURES FOR ABOLISHING  
11 MUNICIPAL SALES AND USE TAXES; AND FOR OTHER  
12 PURPOSES.

### Subtitle

15 TO AMEND THE PROCEDURES FOR ABOLISHING  
16 MUNICIPAL SALES AND USE TAXES.

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

21 SECTION 1. Arkansas Code § 26-75-210 is amended to read as follows:  
22 26-75-210. Abolishment of tax.

23 (a)(1) Except as set forth in subsection (b) of this section, in any  
24 city in which a city sales and use tax has been adopted in the manner  
25 provided in this subchapter, and subsequent to the adoption of the city tax,  
26 the county in which the city is located enacts a county sales and use tax,  
27 then the city may abolish its sales and use tax by a:

28 (A) roll Roll call of two-thirds (2/3) of all the members  
29 elected to the governing board of the city; or council ~~or by a~~

30 (B) petition ~~petition~~ of the qualified voters in the city.  
31 ~~Where no county sales and use tax has been imposed, then in any city in which~~  
32 ~~a local sales and use tax has been adopted in the manner provided for in this~~  
33 ~~subchapter,~~

34 (2)(A) In all other cases, except under subsection (b) of this  
35 section, the city may abolish ~~such~~ all or a portion of the sales and use tax  
36 ~~after, and only after,~~ not pledged to:





1 any of such bonds are outstanding.

2 (2) Bonds shall not be outstanding if there are sufficient tax  
3 revenues that have been collected to pay the bonds when due.

4 (c) The effective date of any affirmative vote to abolish the tax  
5 under subsection (a) of this section shall correspond to the dates indicated  
6 in § 26-75-209 for the initial effective date of the tax.

7 (d)(1) The effective date of any affirmative vote by the governing  
8 body of the city to abolish the tax under subsection (a) of this section  
9 shall be on the first day of the calendar quarter after the expiration of  
10 thirty (30) days from the date a written statement signed by the chief  
11 executive officer of the city abolishing the tax is filed with the Director  
12 of the Department of Finance and Administration certifying that the governing  
13 body of the city has adopted an ordinance abolishing the tax.

14 (2) A copy of the ordinance shall be attached to the  
15 certificate.

16

17 SECTION 2. Arkansas Code § 26-75-310 is amended to read as follows:

18 26-75-310. Abolishment of tax.

19 (a)(1) In any city in which a local sales and use tax has been adopted  
20 in the manner provided for in this subchapter and all or any portion pledged  
21 to secure the payment of lease rentals or bonds as authorized by this  
22 subchapter, that portion of the tax pledged to lease rentals or bonds shall  
23 not be abolished so long as the lease is effective or any of the bonds are  
24 outstanding.

25 (2) Bonds shall not be outstanding if there are sufficient tax  
26 revenues that have been collected to pay the bonds when due.

27 (b) The city may abolish all or that portion of the sales and use tax  
28 that is not pledged to lease rentals during which the lease is  
29 effective or to outstanding bonds ~~after, and only after,~~ by:

30 (1) A roll call vote of two-thirds (2/3) of all members elected  
31 to the governing body of the city, excluding the mayor, if the:

32 (A) Qualified voters of the city have voted not to  
33 continue the tax; or

34 (B) Governing body of the city has determined that the  
35 purposes of the tax cannot be fulfilled or continue to be fulfilled; or

36 (2) an An election called by:

