

**Stricken language would be deleted from and underlined language would be added to the Arkansas
Constitution.**

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005

HJR 1025

4
5 By: Representative Mahony

HOUSE JOINT RESOLUTION

9 PROPOSING A CONSTITUTIONAL AMENDMENT TO AMEND
10 ARTICLE 14, SECTION 3 OF THE ARKANSAS
11 CONSTITUTION, AS AMENDED BY AMENDMENT 59,
12 CONCERNING THE FINANCING OF PUBLIC SCHOOL
13 ACADEMIC FACILITIES; TO AMEND ARTICLE 16,
14 SECTION 16 OF THE ARKANSAS CONSTITUTION REGARDING
15 THE ASSESSED VALUE OF PROPERTY AND PROPERTY
16 TAXES CONCERNING THE FINANCING OF PUBLIC SCHOOL
17 ACADEMIC FACILITIES; TO AMEND AMENDMENT 79 OF THE
18 ARKANSAS CONSTITUTION TO REPEAL ASSESSMENT
19 LIMITATIONS FOR THE PURPOSE OF FINANCING PUBLIC
20 SCHOOL ACADEMIC FACILITIES; TO REPEAL AMENDMENT
21 47 TO THE ARKANSAS CONSTITUTION; AND FOR OTHER
22 PURPOSES.

Subtitle

25 TO AMEND VARIOUS PROVISIONS OF THE
26 ARKANSAS CONSTITUTION PERTAINING TO AD
27 VALOREM PROPERTY TAXES AS RELATED TO
28 FINANCING CONSTITUTIONALLY APPROPRIATE
29 PUBLIC SCHOOL ACADEMIC FACILITIES.

30
31
32 BE IT RESOLVED BY THE SENATE OF THE EIGHTY-FIFTH GENERAL ASSEMBLY OF THE
33 STATE OF ARKANSAS AND BY THE HOUSE OF REPRESENTATIVES, A MAJORITY OF ALL
34 MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

35
36 THAT the following is proposed as an amendment to the Constitution of



1 the State of Arkansas, and upon being submitted to the electors of the state
2 for approval or rejection at the next general election for Senators and
3 Representatives, if a majority of the electors voting thereon at the election
4 adopt the amendment, the amendment shall become a part of the Constitution of
5 the State of Arkansas, to wit:

6
7 SECTION 1. Section 3 of Article 14 of the Arkansas Constitution, as
8 amended by Amendment 11, Amendment 40, and Amendment 74 to the Arkansas
9 Constitution, which pertains to the uniform rate of ad valorem property tax
10 of twenty-five (25) mills, is amended to add the following new subsections:

11 (e) In order to receive state financial participation in a local
12 academic facilities building project, a school district shall levy an
13 additional ad valorem property tax in an amount determined by the General
14 Assembly as reasonable to support the improvement of public school academic
15 facilities in the district in accordance with statewide uniform standards for
16 constitutionally adequate facilities.

17 (f) The General Assembly may amend this article, in the same manner as
18 required for amendment of laws initiated by the people, for the purpose of
19 providing revenue in amounts determined by the General Assembly as necessary
20 to satisfy the Arkansas Supreme Court's constitutional expectations with
21 regard to the state's duty to provide public school children with an
22 opportunity for an adequate education, which includes access to adequate
23 public school academic facilities and equipment.

24
25 SECTION 2. Section 14 of Article 16 of the Arkansas Constitution, as
26 amended by Amendment 59 to the Arkansas Constitution, which pertains to the
27 procedure for adjustment of taxes after reappraisal or reassessment of
28 property, is amended to add the following new subsection:

29 (c) The General Assembly may amend this article, in the same manner as
30 required for amendment of laws initiated by the people, for the purpose of
31 providing revenue in amounts determined by the General Assembly as necessary
32 to satisfy the Arkansas Supreme Court's constitutional expectations with
33 regard to the state's duty to provide public school children with an
34 opportunity for an adequate education, which includes access to adequate
35 public school academic facilities and equipment.

36

1 SECTION 3. Amendment 71 of the Arkansas Constitution, which pertains
2 to assessing the value of real property, is amended to add the following
3 section:

4 § 5. Amendment.

5 The General Assembly may amend this amendment, in the same manner as
6 required for amendment of laws initiated by the people, for the purpose of
7 providing revenue in amounts determined by the General Assembly as necessary
8 to satisfy the Arkansas Supreme Court's constitutional expectations with
9 regard to the state's duty to provide public school children with an
10 opportunity for an adequate education, which includes access to adequate
11 public school academic facilities and equipment.

12
13 SECTION 4. Amendment 47 to the Arkansas Constitution is repealed.
14 ~~No ad valorem tax shall be levied upon property by the State.~~

15
16 SECTION 5. This amendment shall be effective January 1, 2007.
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36