

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

SENATE BILL 1032

4
5 By: Senator Malone
6
7

For An Act To Be Entitled

8
9 AN ACT TO PROVIDE THAT A PORTION OF ANY RESIDUAL
10 FUNDS IN THE PROPERTY TAX RELIEF TRUST FUND AFTER
11 DISBURSEMENTS ARE MADE TO THE COUNTIES SHALL BE
12 TRANSFERRED TO EACH COUNTY JUDGE FOR
13 ADMINISTRATION PURPOSES; AND FOR OTHER PURPOSES.
14

Subtitle

15
16 TO PROVIDE THAT A PORTION OF ANY
17 RESIDUAL FUNDS IN THE PROPERTY TAX
18 RELIEF TRUST FUND AFTER DISBURSEMENTS
19 ARE MADE TO THE COUNTIES SHALL BE
20 TRANSFERRED TO EACH COUNTY JUDGE FOR
21 ADMINISTRATION PURPOSES.
22
23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
25

26 SECTION 1. Arkansas Code § 26-26-310(b), concerning distributions from
27 the Property Tax Relief Trust Fund, is amended to read as follows:

28 (b)(1) Reimbursements to each county shall continue on a monthly basis
29 from the fund until the full amount certified by the county collectors, as of
30 November 15 of each year, has been paid.

31 (2)(A) In no event shall the amount distributed to a county
32 during a calendar year from the fund exceed the final amount certified by the
33 county collector as of November 15 as the property tax reduction for that
34 calendar year resulting from § 26-26-1118.

35 (B) If a county is paid in excess of its proportionate
36 share, the Chief Fiscal Officer of the State shall have the authority to



1 reduce payments made to the county for the subsequent calendar year until the
2 overpayment is recovered.

3 (C)(i) ~~Commencing December 31, 2002, and each~~ On December
4 ~~31 thereafter~~ of each year, the Chief Fiscal Officer of the State, in
5 cooperation with the Legislative Council and the Legislative Auditor, shall
6 determine that portion of the balance remaining that is in excess of the
7 required reimbursement to the counties and shall certify the excess to the
8 Treasurer of State.

9 (ii) Beginning December 31, 2005, and on December 31
10 of each subsequent year, the Treasurer of State shall transfer an amount
11 equal to one percent (1%) of the amount certified by each county collector on
12 November 15 with each county to be paid from any residual funds after
13 disbursements are made to each county, to the county treasurer for allocation
14 to the county judge.

15 (iii)(a) These funds shall be used by the county
16 judge for the costs of administering the county court and the county judge's
17 office.

18 (b) These costs include personnel, equipment,
19 services, and supplies used in the administration of the county court and the
20 county judge's office.

21 (iv) At the discretion of the county judge, any of
22 the funds not used by the county judge for the administration of the county
23 court and the county judge's office may be transferred to the county general
24 fund.

25 (v) The remaining ~~Such~~ excess funds may be used in
26 accordance with subsequent legislation to provide additional tax relief or
27 financial assistance to school districts that incur a reduction in revenue as
28 a direct result of Arkansas Constitution, Amendment 79.

29 (3)(A) The Legislative Auditor or his or her designee shall
30 audit the books and records of the county assessor, county collector, or any
31 other party as needed to ensure that the amount of the property tax reduction
32 certified by the county collector is accurate.

33 (B) The Chief Fiscal Officer of the State shall have the
34 authority to adjust the amount certified by the county collector if it is
35 discovered that the certified amount is incorrect.

36