

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 539

4  
5 By: Senator Broadway  
6  
7

## For An Act To Be Entitled

8  
9 AN ACT TO ALLOW QUORUM COURTS TO REQUIRE A PERSON  
10 WHO ENGAGES IN A BUSINESS WITHIN A COUNTY TO  
11 PROCURE A COUNTY BUSINESS LICENSE AND TO PAY A  
12 LICENSE FEE; AND FOR OTHER PURPOSES.  
13

## Subtitle

14  
15 TO ALLOW COUNTIES TO LEVY A COUNTY  
16 BUSINESS LICENSE FEE.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
20

21 SECTION 1. Arkansas Code Title 14, Chapter 16, is amended to add an  
22 additional subchapter to read as follows:

23 14-16-801. Title.

24 This subchapter shall be known and may be cited as the "County Business  
25 License Act".  
26

27 14-16-802. Definitions.

28 As used in this subchapter,

29 (1) "Business" means a trade, enterprise, profession, vocation, or  
30 calling;

31 (2) "Person" means an individual, corporation, partnership, sole  
32 proprietorship, limited liability corporation, joint venture, firm, company,  
33 or other business entity; and

34 (3) "Regular place of business" means:

35 (A) A location at which a person carries on his or her business  
36 in a regular and systematic manner; or



1           (B) A location at which a person or his or her employees  
2 continuously maintain, occupy, and use for a business.

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4           14-16-803. County business license.

5           (a) A quorum court may enact by a two-thirds (2/3) vote of all members  
6 elected to the quorum court an ordinance that requires a person that  
7 maintains a regular place of business within the county to pay a license fee  
8 to obtain a county business license.

9           (b)(1) An ordinance enacted under this subchapter shall contain the  
10 following provisions:

11                   (A) The amount of the license fee;

12                   (B) When the license fee is due;

13                   (C) The penalty for nonpayment of the license fee; and

14                   (D) The penalty for failing to obtain a county business  
15 license before maintaining a regular place of business within the county.

16           (2) An ordinance enacted under this subchapter may further  
17 define the term "business".

18           (c) A person shall not pay a license fee under this subchapter in more  
19 than one (1) county in this state unless the person maintains a regular place  
20 of business in more than one (1) county.

21           (d)(1) The license fee charged and collected shall be for the  
22 privilege of doing business in the county where the person maintains a  
23 regular place of business.

24           (2) The license fee shall be paid to the county treasurer before  
25 a person receives the county business license.

26           (3) The license fee shall not exceed fifteen dollars (\$15.00)  
27 per year for a person who maintains a regular place of business within the  
28 county.

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30           14-16-804. Liability determined from assessment lists.

31           To determine whether a person is liable to pay the county business  
32 license fee, the quorum court or its designee may use the latest records of  
33 the county assessor or any other records available to the quorum court.

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35           14-16-805. Publication of licensing ordinance.

36           (a) Before an ordinance enacted under this subchapter shall become

1 effective, the ordinance shall be published one (1) time in a newspaper of  
2 bona fide circulation in the county.

3 (b) The publication shall not be later than one (1) week after the  
4 enactment of the ordinance.

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6 14-16-806. Rules.

7 (a) The quorum court or its designee shall provide all rules related  
8 to the enforcement of an ordinance under this subchapter.

9 (b) A person who desires to maintain a place of business in a county  
10 that has enacted an ordinance under this subchapter shall comply with the  
11 rules adopted by the quorum court or its designee before maintaining a place  
12 of business within the county.

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