

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 820

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5 By: Senators Glover, Salmon
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For An Act To Be Entitled

9 AN ACT TO AMEND THE CITY-COUNTY TOURIST MEETING
10 AND ENTERTAINMENT FACILITIES ASSISTANCE LAW TO
11 PROVIDE ASSISTANCE FOR CERTAIN FACILITIES OWNED
12 BY CITIES OR COUNTIES; AND FOR OTHER PURPOSES.
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Subtitle

14 AMENDS THE CITY-COUNTY TOURIST MEETING
15 AND ENTERTAINMENT FACILITIES ASSISTANCE
16 LAW TO PROVIDE ASSISTANCE FOR CERTAIN
17 FACILITIES OWNED BY CITIES OR COUNTIES.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 14-171-203 is amended to read as follows:
24 14-171-203. Definitions.

25 (a) As used in this subchapter, unless the context otherwise requires,
26 "eligible facility" means a facility:

27 (1) With a valid agreement entered into with the State Board of
28 Finance pursuant to this subchapter as of June 30, 2000; or

29 (2) That has submitted an application to the State Board of
30 Finance for assistance under the provisions of this subchapter as of January
31 1, 2001.

32 (b) "Eligible facility" also means a facility:

33 (1) That has an initial construction cost of at least sixty-five
34 million dollars (\$65,000,000);

35 (2) That has a seating capacity of at least eighteen thousand
36 (18,000) permanent seats; and



1 (3) That is owned by a city of the first class, a governmental
 2 entity of a city of the first class, a county, or a governmental entity of a
 3 county.

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 5 SECTION 2. Arkansas Code Title 14, Chapter 171, Subchapter 2 is
 6 amended to add an additional section to read as follows:

7 14-171-219. Additional payments to localities.

8 (a) Notwithstanding §§ 14-171-215 and 14-171-218, payments of state
 9 assistance to cities and counties pursuant to an agreement with an eligible
 10 facility, as defined by § 14-171-203(b), shall be made as follows:

11 (1) Beginning on July 1, 2006, and continuing each fiscal year
 12 thereafter, the state assistance payment shall be equal to one-third (1/3) of
 13 the state sales tax liability paid by the facility during the preceding
 14 fiscal year;

15 (2) The Treasurer of State shall make quarterly payments from
 16 the City-County Tourist Facilities Aid Fund to the eligible facility in
 17 accordance with this section; and

18 (3) On or before September 15 of each year, the Director of the
 19 Department of Finance and Administration shall certify to the Treasurer of
 20 State the amount of state sales taxes paid during the preceding fiscal year
 21 by an eligible facility.

22 (b) Payments to an eligible facility, as defined by § 14-171-203(b),
 23 under this section shall be used only for major maintenance projects.

24 (c)(1) On or before July 1 of each year, each facility to which
 25 payments are made under this section shall provide to the Division of
 26 Legislative Audit a written report detailing the expenditure of funds
 27 received under this section for the previous twelve (12) months and
 28 certifying that the funds were used only for major maintenance projects.

29 (2) If the information required under this subsection (c) is
 30 contained in the facility's annual independent financial audit report, the
 31 facility may submit to the Division of Legislative Audit a copy of the annual
 32 independent financial audit report to comply with this subsection (c).

33 (3) After an expenditure has been reported to the Division of
 34 Legislative Audit by an eligible facility, the facility shall not be required
 35 to report the expenditure on subsequent reports unless requested to do so by
 36 the Division of Legislative Audit.

1 (d) Payments to an eligible facility, as defined by § 14-171-203(b),
2 shall be subject to the requirements of § 14-171-210.

3 (e) As used in this section, "major maintenance project":

4 (1) Means maintenance to satisfy code and safety requirements,
5 repair or replacement of mechanical, electrical, and plumbing systems,
6 exterior and structural construction and repair, and landscaping; and

7 (2) Does not mean:

8 (A) Routine janitorial service;

9 (B) Cleaning the interior or exterior of a building and
10 any tangible personal property located in or on the building;

11 (C) Disinfecting and deodorizing;

12 (D) Cleaning carpeting or upholstery;

13 (E) Chimney sweeping;

14 (F) Cleaning venetian blinds or window shades;

15 (G) Cleaning windows, walls, ceilings, or indoor pools;

16 (H) Washing or waxing floors;

17 (I) Sandblasting, chemically cleaning, power washing, or
18 otherwise cleaning building exteriors, including siding, roofs, chimneys, and
19 gutters;

20 (J) Removing snow or sweeping dirt off parking lots or
21 garages;

22 (K) Cleaning ventilating systems, including furnaces or
23 ductwork;

24 (L) Emptying waste baskets or picking up trash for
25 immediate or eventual removal from a building or its grounds; and

26 (M) Housekeeping or maid service.

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