

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 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: H3/7/07 H3/12/07

A Bill

HOUSE BILL 2352

5 By: Representatives Greenberg, Webb, Adcock, Bond, D. Creekmore, S. Dobbins, Hyde, D. Johnson, S.
6 Prater
7
8

For An Act To Be Entitled

10 AN ACT TO CHANGE THE COMPOSITION OF ADVERTISING
11 AND PROMOTION COMMISSIONS IN MUNICIPALITIES WITH
12 A POPULATION OF *ONE HUNDRED TWENTY-FIVE THOUSAND*
13 *(125,000)* OR MORE; AND FOR OTHER PURPOSES.
14

Subtitle

15 *TO CHANGE THE COMPOSITION OF ADVERTISING*
16 *AND PROMOTION COMMISSIONS IN*
17 *MUNICIPALITIES WITH A POPULATION OF ONE*
18 *HUNDRED TWENTY-FIVE THOUSAND (125,000)*
19 *OR MORE.*
20
21
22
23

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

26 SECTION 1. Arkansas Code Title 26, Chapter 75, Subchapter 6 is amended
27 to add an additional section to read as follows:

28 26-75-619. Advertising and promotion commissions in municipalities
29 with a population of one hundred twenty-five thousand (125,000) or more.

30 (a) Any municipality with a population of one hundred twenty-five
31 thousand (125,000) or more according to the last federal decennial census
32 levying a tax under this subchapter shall create by ordinance a municipal
33 advertising and promotion commission to be composed of seven (7) members as
34 follows:

35 (1)(A) Four (4) members shall be owners or managers of a
36 business in the tourism industry and shall reside in the levying municipality



1 or, if the governing body of the levying municipality provides for by
2 ordinance, may reside outside of the levying municipality but within the
3 county in which the levying municipality is located.

4 (B) Of the four (4) members in subdivision (a)(1)(A) of
5 this section, one (1) member shall be an owner or manager of a restaurant and
6 one (1) member shall be an owner or manager of a hotel; and

7 (2)(A) Three (3) members shall be from the public at large who
8 shall reside within the levying municipality or in the county of the levying
9 municipality and shall serve staggered terms of four (4) years.

10 (B) The members in subdivision (a)(2)(A) of this section
11 may be owners or managers of a business in the tourism industry.

12 (b) For a municipality creating a municipal advertising and promotion
13 commission authorized in this section on or after the effective date of this
14 act, the initial members of the commission shall be filled by appointment
15 made by the governing body of the levying municipality for staggered terms so
16 that:

17 (1) One (1) member shall serve for a term of one (1) year;

18 (2) Two (2) members shall serve for a term of two (2) years;

19 (3) Two (2) members shall serve for a term of three (3) years;

20 and

21 (4) Two (2) members shall serve for a term of four (4) years.

22 (c) For a levying municipality in which a municipal advertising and
23 promotion commission exists on the effective date of this act, the members of
24 the commission shall continue in office for the balance of the terms to which
25 they have been previously appointed.

26 (d) Whether resulting from expiration of a regular term or otherwise,
27 a vacancy on a municipal advertising and promotion commission shall be filled
28 by appointment of the governing body of the levying municipality.

29 (e)(1) The members and staff of a municipal advertising and promotion
30 commission shall comply with the budgeting and financial management system of
31 the levying municipality.

32 (2) The governing body of the levying municipality shall oversee
33 the functions and duties of the municipal advertising and promotion
34 commission.

35 (f) A levying municipality in which a municipal advertising and
36 promotion commission exists on the effective date of this act shall amend the

1 levying ordinance to comply with this section.

2 (g) The members of the municipal advertising and promotion commission
3 shall not hold any other municipal office.

4 (h) The members of the municipal advertising and promotion commission
5 may be removed by the governing authority of the levying municipality.

6

7

/s/ Greenberg, et al

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36