

State of Arkansas
86th General Assembly
Regular Session, 2007

A Bill

SENATE BILL 802

By: Senator Glover

For An Act To Be Entitled

AN ACT TO AMEND PROVISIONS OF THE ARKANSAS
DEVELOPMENT FINANCE AUTHORITY ACT TO CLARIFY THE
POWERS OF THE AUTHORITY WITH RESPECT TO NONPROFIT
ORGANIZATIONS, SCIENTIFIC AND TECHNICAL SERVICES
BUSINESSES, TECHNOLOGY-BASED ENTERPRISES, AND
TOURISM ENTERPRISES; AND FOR OTHER PURPOSES.

Subtitle

TO CLARIFY THE POWER OF THE ARKANSAS
DEVELOPMENT FINANCE AUTHORITY TO ASSIST
CERTAIN TYPES OF ENTITIES AND
BUSINESSES.

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

SECTION 1. Arkansas Code § 15-5-207(b), regarding the powers of the
Arkansas Development Finance Authority, is amended to add two (2) additional
subdivisions to read as follows:

(30) To make loans and enter into contracts with respect to, and
issue bonds on behalf of, nonprofit organizations including the issuance of
"qualified 501(c)(3) bonds" as defined in the Internal Revenue Code; and

(31) To make loans and enter into contracts with respect to, and
issue bonds on behalf of, scientific and technical services businesses,
technology-based enterprises, and tourism enterprises; and

~~(30)-(32)~~ To administer the allocation of the state ceiling of
private activity bonds as those terms are defined in the Tax Reform Act of
1986, which are subject to volume limitations under federal law, including



1 particularly the limitations under section 146 of the Internal Revenue Code
2 of 1986; and

3 ~~(31)~~(33) To enter into an interest rate exchange agreement or
4 similar agreement or contract.

5
6 SECTION 2. Arkansas Code § 15-5-301(a)(1), regarding the purposes for
7 which the Arkansas Development Finance Authority is authorized and empowered
8 to issue revenue bonds, is amended to read as follows:

9 (a)(1) The Arkansas Development Finance Authority is authorized and
10 empowered to issue bonds from time to time, whether or not the interest on
11 the bonds is subject to federal income taxation, either for a specific
12 activity or for a particular project or on a pooled or consolidated basis for
13 a series of related or unrelated activities or projects in such amounts as
14 shall be determined by the authority for the purpose of enhancing the Public
15 School Fund or financing qualified agricultural business enterprises, capital
16 improvement facilities, educational facilities, health care facilities,
17 housing developments, industrial enterprises, exports of goods and short-term
18 advance funding of local government obligations, scientific and technical
19 services businesses, technology-based enterprises, tourism enterprises,
20 nonprofit organizations, or any combination of those facilities or
21 enterprises, or any interest in facilities, including, without limitation,
22 leasehold interests in and mortgages on those facilities.