

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

# A Bill

HOUSE BILL 1502

5 By: Representative J. Mayberry  
6

## For An Act To Be Entitled

8 AN ACT TO PROVIDE FUNDING FOR THE MAINTENANCE,  
9 IMPROVEMENT, AND CONSTRUCTION OF HIGHWAYS, ROADS,  
10 STREETS, AND BRIDGES IN THE STATE USING REVENUES  
11 RECEIVED FROM CASINO GAMING; TO PROVIDE FOR FUNDING  
12 FROM GENERAL REVENUES AND TO DESIGNATE SPECIAL  
13 REVENUES FOR THE MAINTENANCE, IMPROVEMENT, AND  
14 CONSTRUCTION OF HIGHWAYS, ROADS, STREETS, AND BRIDGES  
15 IN THE STATE; TO LEVY A PRIVILEGE TAX ON CASINO  
16 GAMES; AND FOR OTHER PURPOSES.  
17

## Subtitle

18  
19  
20 TO PROVIDE FUNDING FOR THE MAINTENANCE,  
21 IMPROVEMENT, AND CONSTRUCTION OF  
22 HIGHWAYS, ROADS, STREETS, AND BRIDGES IN  
23 THE STATE; AND TO LEVY A PRIVILEGE TAX ON  
24 CASINO GAMES.  
25

26  
27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
28

29 SECTION 1. Arkansas Code § 19-5-202(b)(2)(B)(iii), concerning  
30 distributions from the General Revenue Fund Account, is amended to read as  
31 follows:

32 (iii)(a) Next, the Director of the Department of  
33 Finance and Administration shall certify the amount distributed to the  
34 General Revenue Fund Account of the State Apportionment Fund under § 5(c) of  
35 Section 1 of The Arkansas Casino Gaming Amendment of 2018, Arkansas  
36 Constitution, Amendment 100, for the month.



1                                   **(b) The Treasurer of State shall then deduct**  
 2 **an amount equal to the amount certified under subdivision (b)(2)(B)(iii)(a)**  
 3 **of this section from the General Revenue Fund Account of the State**  
 4 **Apportionment Fund and transfer the amount as follows:**

5                                   **(1) Seventy percent (70%) to the State**  
 6 **Highway and Transportation Department Fund;**

7                                   **(2) Fifteen percent (15%) to the County**  
 8 **Aid Fund; and**

9                                   **(3) Fifteen percent (15%) to the**  
 10 **Municipal Aid Fund; and**

11                                   **(iv)** The remaining revenue, known as general  
 12 revenues available for distribution, in the General Revenue Fund Account of  
 13 the State Apportionment Fund shall be distributed as provided by this chapter  
 14 to the various funds and fund accounts as created and established in § 19-5-  
 15 301 et seq. and to any other fund or fund account as may be authorized by  
 16 law. The Treasurer of State, after distributing the general revenues  
 17 available for distribution due each fund or fund account, shall deduct the  
 18 amount of any advance transfers made during the month from the distribution  
 19 to each applicable fund or fund account.

20  
 21           SECTION 2. Arkansas Code § 19-5-601(b), concerning the Municipal Aid  
 22 Fund, is amended to read as follows:

23           (b) The Municipal Aid Fund shall consist of:

24                                   (1) Such general revenues as may be made available to the  
 25 Municipal Aid Fund by the Revenue Stabilization Law, § 19-5-101 et seq.;

26                                   (2) Such special revenues derived from highway user imposts,  
 27 known as highway revenues, as may be made available to the Municipal Aid Fund  
 28 for the benefit of municipalities by the Arkansas Highway Revenue  
 29 Distribution Law, § 27-70-201 et seq.; ~~and~~

30                                   (3) Those special revenues as specified in § 19-6-301(135) ~~of~~  
 31 ~~the Revenue Classification Law, § 19-6-101 et seq.;~~ and

32                                   **(4) Those general revenues deducted from the General Revenue**  
 33 **Fund Account of the State Apportionment Fund and transferred to the Municipal**  
 34 **Aid Fund under § 19-5-202(b)(2)(B)(iii).**

35  
 36           SECTION 3. Arkansas Code § 19-5-602(b), concerning the County Aid

1 Fund, is amended to read as follows:

2 (b) The County Aid Fund shall consist of:

3 (1) The general revenues as may be provided by the Revenue  
4 Stabilization Law, § 19-5-101 et seq., to the County Aid Fund;

5 (2) Such special revenues derived from highway user imposts,  
6 known as highway revenues, as may be provided by the Arkansas Highway Revenue  
7 Distribution Law, § 27-70-201 et seq.;

8 (3) Those special revenues as set out in § 19-6-301(74) and  
9 (117) and thirty-four percent (34%) of those special revenues as specified in  
10 § 19-6-301(20) of the Revenue Classification Law, § 19-6-101 et seq.; ~~and~~

11 (4) Twenty-five percent (25%) of all severance taxes other than  
12 those imposed upon saw timber and timber products as set out in § 19-6-  
13 301(18) of the Revenue Classification Law, § 19-6-101 et seq.; and

14 (5) Those general revenues deducted from the General Revenue  
15 Fund Account of the State Apportionment Fund and transferred to the County  
16 Aid Fund under § 19-5-202(b)(2)(B)(iii).

17

18 SECTION 4. Arkansas Code § 19-5-602(c)(1)(A), concerning the  
19 distribution of general revenues and special revenues in the County Aid Fund,  
20 is amended to read as follows:

21 (1)(A) The general revenues made available to the County Aid  
22 Fund by the Revenue Stabilization Law, § 19-5-101 et seq., and under § 19-5-  
23 202(b)(2)(B)(iii), shall be distributed with seventy-five percent (75%)  
24 divided equally among the seventy-five (75) counties of this state and  
25 twenty-five percent (25%) distributed on the basis of population according to  
26 the most recent federal decennial or special census, with each county to  
27 receive the proportion that its population bears to the total population of  
28 the state.

29

30 SECTION 5. Arkansas Code § 19-6-405 is amended to read as follows:

31 19-6-405. State Highway and Transportation Department Fund.

32 The State Highway and Transportation Department Fund shall consist of:

33 (1) That part of the special revenues as specified in § 19-6-  
34 301(2)-(4), (22), (81), (105)-(107), (182), and (256), known as “highway  
35 revenue”, as distributed under the Arkansas Highway Revenue Distribution Law,  
36 § 27-70-201 et seq., and § 27-70-103 and § 27-72-301 et seq.;

1 (2) Those special revenues specified in § 19-6-301(10), (152),  
 2 (187), (239), and (241);

3 (3) Fifty percent (50%) of § 19-6-301(26);

4 (4) That portion of § 19-6-301(2) as set out in § 27-14-  
 5 601(a)(3)(H)(ii)(f);

6 (5) That portion of § 19-6-301(222);

7 (6) Those designated revenues as set out in § 26-56-201(e)(1),  
 8 which consist of the additional total of four cents (4¢) distillate special  
 9 fuel taxes to be distributed as provided in the Arkansas Highway Financing  
 10 Act of 1999, § 27-64-201 et seq.;

11 (7) Federal revenue sharing funds as set out in § 19-5-1005; ~~and~~

12 (8) Those general revenues deducted from the General Revenue  
 13 Fund Account of the State Apportionment Fund and transferred to the State  
 14 Highway and Transportation Department Fund under § 19-5-202(b)(2)(B)(iii);

15 (9) The special revenues identified in § 26-57-1603; and

16 (10) Any federal funds that may become available,  
 17 there to be used for the maintenance, operation, and improvement required by  
 18 the Arkansas Department of Transportation in carrying out the functions,  
 19 powers, and duties as set out in Arkansas Constitution, Amendment 42, and §§  
 20 27-65-102 – 27-65-107, 27-65-110, 27-65-122, and 27-65-124, and the other  
 21 laws of this state prescribing the powers and duties of the department and  
 22 the State Highway Commission.

23  
 24 SECTION 6. Arkansas Code Title 26, Chapter 57, is amended to add an  
 25 additional subchapter to read as follows:

26 Subchapter 16 – Casino Games

27  
 28 26-57-1601. Definitions

29 As used in this subchapter:

30 (1) "Casino" means the same as defined in § 2 of The Arkansas  
 31 Casino Gaming Amendment of 2018, Arkansas Constitution, Amendment 100; and

32 (2)(A) "Casino game" means a game played with cards, dice,  
 33 equipment, or any mechanical, electromechanical, or electronic device or  
 34 machine for money, property, checks, credit, or any representative value.

35 (B) "Casino game" does not include:

36 (i) A lottery conducted under Arkansas Constitution,

1 Amendment 87, or The Arkansas Scholarship Lottery Act, § 23-115-101 et seq.;

2 (ii) An amusement device, as defined in § 26-57-402;

3 or

4 (iii) A slot machine or card game that is not  
5 utilized as an adjunct to or a unit of a banking, percentage, or mechanical  
6 device or machine.

7  
8 26-57-1602. Annual privilege tax.

9 (a) There is levied an annual privilege tax on each casino operating  
10 one (1) or more casino games in the state.

11 (b) The amount of the privilege tax levied under this section is  
12 determined as follows:

13 (1) For a casino operating ten (10) or fewer casino games:

14 (A) For a casino operating one (1) casino game, fifty  
15 dollars (\$50.00);

16 (B) For a casino operating two (2) casino games, one  
17 hundred dollars (\$100);

18 (C) For a casino operating three (3) casino games, two  
19 hundred dollars (\$200);

20 (D) For a casino operating four (4) casino games, three  
21 hundred seventy-five dollars (\$375);

22 (E) For a casino operating five (5) casino games, eight  
23 hundred seventy-five dollars (\$875);

24 (F) For a casino operating six (6) or seven (7) casino  
25 games, one thousand five hundred dollars (\$1,500); and

26 (G) For a casino operating eight (8) or more casino games,  
27 three thousand dollars (\$3,000); and

28 (2) For a casino operating more than ten (10) casino games:

29 (A) For each of the first sixteen (16) casino games, five  
30 hundred dollars (\$500);

31 (B) For each casino game from seventeen (17) to twenty-six  
32 (26), inclusive, four thousand eight hundred dollars (\$4,800);

33 (C) For each casino game from twenty-seven (27) to thirty-  
34 five (35), inclusive, two thousand eight hundred dollars (\$2,800); and

35 (D) For each casino game over thirty-five (35), one  
36 hundred dollars (\$100).

1       (c) The privilege tax levied under this section shall be paid at the  
2 time the casino obtains a license and annually thereafter.

3       (d) All casino games operated or conducted in one (1) room or a group  
4 of rooms in the same or a contiguous building are considered one (1)  
5 operation, and the privilege tax to be paid under this section shall be  
6 determined on the aggregate number of casino games in each room or group of  
7 rooms in the same or a contiguous building.

8  
9       26-57-1603. Disposition of revenues.

10       The revenues from the privilege tax levied under this subchapter are  
11 special revenues and shall be credited to the State Highway and  
12 Transportation Department Fund.