

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

A Bill

SENATE BILL 453

4
5 By: Senator L. Eads

For An Act To Be Entitled

8 AN ACT TO PROVIDE FUNDING FOR THE ARKANSAS WATERWAYS
9 COMMISSION AND FOR THE DEVELOPMENT, IMPROVEMENT, AND
10 EXPANSION OF RIVER TRANSPORTATION RESOURCES WITHIN
11 THE MCCLELLAN-KERR ARKANSAS RIVER NAVIGATION SYSTEM;
12 TO CREATE THE ARKANSAS RIVER NAVIGATION SYSTEM FUND;
13 TO DEDICATE A PORTION OF THE AD VALOREM TAX ON WATER
14 TRANSPORTATION COMPANIES TO THE ARKANSAS WATERWAYS
15 COMMISSION AND THE ARKANSAS RIVER NAVIGATION SYSTEM
16 FUND; AND FOR OTHER PURPOSES.

Subtitle

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20 TO PROVIDE FUNDING FOR THE ARKANSAS
21 WATERWAYS COMMISSION AND FOR THE
22 DEVELOPMENT, IMPROVEMENT, AND EXPANSION
23 OF RIVER TRANSPORTATION RESOURCES WITHIN
24 THE MCCLELLAN-KERR ARKANSAS RIVER
25 NAVIGATION SYSTEM.

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

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30 SECTION 1. Arkansas Code Title 19, Chapter 5, Subchapter 12, is
31 amended to add an additional section to read as follows:

32 19-5-1264. Arkansas River Navigation System Fund.

33 (a) There is created on the books of the Treasurer of State, the
34 Auditor of State, and the Chief Fiscal Officer of the State a miscellaneous
35 fund to be known as the "Arkansas River Navigation System Fund".

36 (b) The fund shall consist of:



- 1 (1) The taxes and penalties described in § 26-26-1616(d)(2);
- 2 (2) Grants made by any person or federal government agency;
- 3 (3) Any remaining fund balances carried forward from year to
- 4 year; and
- 5 (4) Any other funds authorized or provided by law.

6 (c) The fund shall be used by the Arkansas Waterways Commission to
 7 develop, improve, and expand river transportation resources within the
 8 portion of the McClellan-Kerr Arkansas River Navigation System located in the
 9 State of Arkansas.

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 11 SECTION 2. Arkansas Code § 26-26-1616(d), concerning the disposition
 12 of property tax taxes and penalties collected from utilities and carriers, is
 13 amended to read as follows:

14 (d)(1) The taxes and penalties collected from water transportation
 15 companies under § 26-26-1614 in excess of two million five hundred thousand
 16 dollars (\$2,500,000) shall be deposited into the State Treasury and credited
 17 to the Arkansas Port, Intermodal, and Waterway Development Grant Program Fund
 18 to be used exclusively for the purposes stated in § 15-23-205.

19 (2) The taxes and penalties collected from water transportation
 20 companies under § 26-26-1614 and that are apportionable to barges traversing
 21 the Arkansas River and that are in excess of the amount stated in subdivision
 22 (d)(1) of this section shall be deposited into the State Treasury and
 23 credited as follows:

24 (A) The first fifty thousand dollars (\$50,000) to the
 25 Miscellaneous Agencies Fund Account to be used exclusively by the Arkansas
 26 Waterways Commission; and

27 (B) The remainder to the Arkansas River Navigation System
 28 Fund.

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