

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

SENATE BILL 379

5 By: Senators M. Johnson, Hester
6 By: Representatives Achor, McCollum, Hawk
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING THE CREATION AND
10 AUTHORITY OF A MUNICIPAL AIRPORT COMMISSION; TO
11 DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.
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Subtitle

14 TO AMEND THE LAW CONCERNING THE CREATION
15 AND AUTHORITY OF A MUNICIPAL AIRPORT
16 COMMISSION; AND TO DECLARE AN EMERGENCY.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 14-359-104(b), concerning the creation and
23 members of a municipal airport commission, is amended to read as follows:

24 (b)(1) At least ~~one (1)~~ two (2) of the members shall be fully
25 experienced in aviation, with one (1) of the two (2) members holding some
26 type of pilot aeronautical rating.

27 (2) If ~~there is not any~~ an application for membership on the
28 commission is not submitted by a qualified citizen experienced in aviation
29 and holding some type of pilot aeronautical rating as required under
30 subdivision (b)(1) of this section ~~who is available or willing to serve on~~
31 ~~the commission~~, then the city council may waive this requirement.
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33 SECTION 2. Arkansas Code § 14-359-105(a), concerning the appointment
34 of commissioners to a municipal airport commission, is amended to add an
35 additional subdivision to read as follows:

36 (3) In a municipality with a municipal airport that is



1 nationally ranked in the top one hundred twenty-five (125) airports in the
2 Federal Aviation Administration’s annual report, based on Annual Enplanements
3 at All Airports (Primary, Nonprimary Commercial Service, and General
4 Aviation), the commissioners shall be:

5 (i) Appointed by the mayor or any of the elected and
6 qualified members of the city council;

7 (ii) Confirmed by a three-fourths (3/4) vote of the
8 elected and qualified members of the city council; and

9 (iii) Appointed by the Governor in the event that a
10 commissioner appointment exceeds forty-five (45) days of vacancy.

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12 SECTION 3. Arkansas Code § 14-359-109(a), concerning the authority of
13 a municipal airport commission, is amended to add an additional subdivision
14 to read as follows:

15 (3) The commissioners appointed to a commission for a municipal
16 airport that is nationally ranked in the top one hundred twenty-five (125)
17 airports in the Federal Aviation Administration’s annual report, based on
18 Annual Enplanements at All Airports (Primary, Nonprimary Commercial Service,
19 and General Aviation), shall:

20 (A) Have the authority to improve, extend, and maintain
21 the municipal airport and its related property and facilities;

22 (B) Review and approve all contracts involving the
23 municipal airport that are seventy-five thousand dollars (\$75,000) or more
24 before the execution of the contract; and

25 (C)(i) Be in charge of the airport as it relates to
26 properties and facilities, including without limitation the:

27 (a) Employment and removal of the executive
28 director of the municipal airport; or

29 (b) Determination of the salary, compensation
30 package, and bonus of the executive director of the municipal airport.

31 (ii) A municipal airport commission shall not have
32 authority over the employment or removal of an employee of a municipal
33 airport other than the executive director of a municipal airport under
34 subdivision (a)(3)(C)(i) of this section.

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36 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the

1 General Assembly of the State of Arkansas that a municipal airport commission
2 has the authority to manage, operate, improve, extend, and maintain a
3 municipal airport and its related properties and facilities; that a
4 commissioner vacancy on a municipal airport commission delays the
5 commission's ability to vote on procurement matters and all other management
6 and operational functions necessary to efficiently operate a municipal
7 airport; and that there have been vacancies in the state that cannot be
8 filled under the current commissioner appointment requirements established by
9 law. Therefore, an emergency is declared to exist, and this act being
10 immediately necessary for the preservation of the public peace, health, and
11 safety shall become effective on:

- 12 (1) The date of its approval by the Governor;
- 13 (2) If the bill is neither approved nor vetoed by the Governor,
14 the expiration of the period of time during which the Governor may veto the
15 bill; or
- 16 (3) If the bill is vetoed by the Governor and the veto is
17 overridden, the date the last house overrides the veto.

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