

1 **ORDINANCE NO. _____**

2
3 **AN ORDINANCE TO LEVY A 1% SALES AND USE TAX WITHIN THE**
4 **CITY OF LITTLE ROCK, ARKANSAS; TO PROVIDE THAT THE LEVY**
5 **WILL COMMENCE ON JANUARY 1, 2022; TO PRESCRIBE OTHER**
6 **MATTERS THAT PERTAIN TO THE ELECTION; TO DECLARE AN**
7 **EMERGENCY; AND FOR OTHER PURPOSES.**

8
9 **WHEREAS**, the Board of Directors of the City of Little Rock, Arkansas (the "City"), passed, and the
10 people approved, Little Rock, Ark., Ordinance No. 20,449 (July 11, 2011), which provides for the levy of
11 a $\frac{3}{8}$ -Cent Sales and Use Tax within the City (the "Capital Sales and Use Tax") to be used for Municipal
12 Capital Improvements of a public nature for a period of ten (10) years, and this Capital Sales and Use Tax
13 is scheduled to expire on December 31, 2021; and,

14 **WHEREAS**, after careful review and discussion the City has determined its need to address a number
15 of new matters authorized under Arkansas State Law.

16 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY**
17 **OF LITTLE ROCK, ARKANSAS:**

18 **Section 1. *Levy of a One (1%) Percent Sales and Use Tax.***

19 **(a)** The City of Little Rock, Arkansas, hereby levies a 1% Sales and Use Tax which shall begin
20 to be collected on January 1, 2022.

21 **(b)** The tax, if approved, shall be levied on the receipts from the sale at retail of all items and
22 services that are subject to taxation under the Arkansas Gross Receipts Tax Act of 1941, as
23 amended, as set out in Title 26, Chapter 52, and the Arkansas Compensating Use Tax of 1949, as
24 amended, as set out in Title 26, Chapter 53.

25 **Section 2.** A special election is also hereby called to be held on July 13, 2021, at which special election
26 there shall be submitted to the electors of the City the question of the levy of a Sales and Use Tax the net
27 collections of which are remaining after deduction of the administrative costs of the State of Arkansas and
28 required thereafter shall be used for public purposes.

29 **Section 3.** A certified copy of this ordinance shall be filed with the Pulaski County Clerk at least sixty
30 (60) days prior to the election date.

31 **Section 4.** A certified copy of this ordinance shall be provided to the County Board of Election
32 Commissioners so that the necessary Election Officials and supplies may be provided.

33 **Section 5.** A certified copy of this ordinance shall also be provided to the Commissioner of Revenues
34 of the State of Arkansas as soon as practical.

1 **Section 6.** The Mayor and City Clerk or Recorder, for and on behalf of the City, be, and they are
2 hereby authorized and directed to do any and all things necessary to call and hold the special election as
3 herein provided and, if the levy of the sales and use tax is approved by the electors, to cause the Sales and
4 Use Tax to be collected in accordance with the Authorizing Legislation, and to perform all acts of whatever
5 nature necessary in a timely fashion to carry out the authority conferred by this ordinance.

6 **Section 7.** Any other required steps not expressly set forth in this ordinance shall also be conducted
7 in a timely fashion in order to accomplish the purposes set out within this ordinance.

8 **Section 8.** Because the $\frac{3}{8}$ -Cent (\$0.00375 cents) Sales and Use Tax authorized in Little Rock, Ark.,
9 Ordinance No. 20,449 (July 11, 2011), and approved by vote of the City electors pursuant to a special
10 election called pursuant to Little Rock, Ark., Ordinance No. 20,450 (July 11, 2011), shall expire and
11 collections shall cease on December 31, 2021, the aggregate increase in the levy of a Sales and Use Tax
12 upon the successful implementation of the tax authorized in this ordinance, is only $\frac{5}{8}$ -Cent (\$.00625 cents)
13 when collections of the levy commence on January 1, 2022.

14 **Section 9. Severability.** In the event any section, subsection, subdivision, paragraph, subparagraph,
15 item, sentence, clause, phrase, or word of this ordinance is declared or adjudged to be invalid or
16 unconstitutional, such declaration or adjudication shall not affect the remaining provisions of this
17 ordinance, as if such invalid or unconstitutional provision was not originally a part of this ordinance.

18 **Section 10. Repealer.** All ordinances, resolutions, bylaws, and other matters inconsistent with this
19 ordinance, including but not limited to Little Rock, Ark., Ordinance No. 20,449 (July 11, 2011) and Little
20 Rock, Ark., Ordinance No. 20,450 (July 11, 2011), are hereby repealed to the extent of such inconsistency.

21 **Section 11. Emergency Clause.** *The ability to properly fund necessary improvements, programs,*
22 *and operations of the City, and to properly budget for them as part of the process to adopt a 2022 Annual*
23 *Budget, and to have a timely election on the question of whether to impose the additional sales and*
24 *compensating use tax levy called for in this ordinance is essential to the public health, safety, and welfare;*
25 *an emergency is, therefore, declared to exist and this ordinance shall be in full force and effect from and*
26 *after the date of its passage and publication.*

27 **PASSED: May 11, 2021**

28 **ATTEST:**

APPROVED:

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30
31 _____
Susan Langley, City Clerk

_____ **Frank Scott, Jr., Mayor**

32 **APPROVED AS TO LEGAL FORM:**

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34 _____
35 **Thomas M. Carpenter, City Attorney**