

ORDINANCE NO. _____

AN ORDINANCE TO LEVY AN ADDITIONAL 5/8-CENT SALES AND COMPENSATING USE TAX WITHIN THE CITY OF LITTLE ROCK, ARKANSAS, TO BE USED FOR GENERAL CAPITAL PURPOSES; TO PROVIDE THAT THE LEVY SHALL COMMENCE ON JANUARY 1, 2025; AND TO PROVIDE THAT THE LEVY SHALL EXPIRE ON DECEMBER 31, 2034; TO PRESCRIBE OTHER MATTERS THAT PERTAIN TO THE MATTER; AND FOR OTHER PURPOSES.

WHEREAS, the Board of Directors of the City of Little Rock, Arkansas (the "City"), have determined that it is appropriate to levy an additional 5/8-Cent (\$0.00625%) Sales and Compensating Use Tax within the City to be used for general capital purposes; and,

WHEREAS, pursuant to Ark. Code Ann. § 26-75-208, once an ordinance which levies a Sales and Compensating Use Tax is adopted, a municipality must by ordinance provide for the calling and holding of a special election on the question of whether to approve the levy; and,

WHEREAS, the purpose of this ordinance is to levy an additional 5/8-Cent (\$0.00625%) Sales and Compensating Use Tax.

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

Section 1. The Board of Directors of the City of Little Rock hereby levies an additional 5/8-Cent (\$0.00625%) Sales and Compensating Use Tax, to be used for general capital purposes, the collection of which shall start on January 1, 2025, and which shall be levied on the receipts from the sale at retail of all items and services that are subject to taxation under the Arkansas Gross Receipts Tax Act of 1941, as amended, as set out in Title 26, Chapter 52 of the Arkansas Code of 1987 Annotated, and the Arkansas Compensating Use Tax of 1949, as amended, as set out in Title 26, Chapter 53 of the Arkansas Code of 1987 Annotated, and which shall expire on December 31, 2034.

Section 2. On the date of this ordinance, the City by separate ordinance, shall call for a special election on whether to approve the levy to be held on November 5, 2024, as required by Ark. Code Ann. § 26-75-208 (a) (1).

Section 3. The ballot title at the special election on the question of whether to levy the additional Sales and Compensating Use Tax referred to above shall be in substantially the following form:

Vote on measure by placing an "X" in the square opposite the measure either for or against:

1 FOR Adoption of an additional $\frac{5}{8}$ -Cent (\$0.00625%) local Sales and Compensating
2 Use Tax within the City of Little Rock, Arkansas, for which collections of the levy
3 will begin on January 1, 2025, to be used for general operational purposes, and
4 which shall expire on December 31, 2034.

5 AGAINST Adoption of an additional $\frac{5}{8}$ -Cent (\$0.00625%) local Sales and
6 Compensating Use Tax within the City of Little Rock, Arkansas for which
7 collections of the levy will commence on January 1, 2025, to be used for general
8 capital purposes, and which shall expire on December 31, 2034.

9 **Section 4.** The special election shall be held and conducted and the vote canvassed and the results
10 declared under the law and in the manner now provided for municipal elections unless otherwise provided
11 in Title 26, Chapter 75, Subchapter 2 of the Arkansas Code of 1987 Annotated (the "Authorizing
12 Legislation") and only qualified voters of the City shall have the right to vote at the election.

13 **Section 5.** The results of the election shall be proclaimed by the Mayor, and his Proclamation shall be
14 published one (1)-time in a newspaper having a general circulation in the City, which Proclamation shall
15 advise that the results as proclaimed shall be conclusive unless attacked in the courts within thirty (30) days
16 after the date of publication.

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

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

25 **Section 8. Severability.** In the event any section, subsection, subdivision, paragraph, subparagraph,
26 item, sentence, clause, phrase, or word of this ordinance is declared or adjudged to be invalid or
27 unconstitutional, such declaration or adjudication shall not affect the remaining portions of the ordinance,
28 which shall remain in full force and effect as if the portion so declared or adjudged invalid or
29 unconstitutional was not originally a part of the ordinance.

30 **Section 9. Repealer.** All ordinances, resolutions, bylaws, and other matters inconsistent with this
31 ordinance, are hereby repealed to the extent of such inconsistency.

32 **PASSED: July 30, 2024**

33 **ATTEST:**

APPROVED:

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Susan Langley, City Clerk

Frank Scott, Jr., Mayor

1 **APPROVED AS TO LEGAL FORM:**

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4 **Thomas M. Carpenter, City Attorney**

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