

State of Arkansas
76th General Assembly
Regular Session, 1987
By: Representative Ramsey

HOUSE BILL 2005

"AN ACT TO DEFINE THE TERM 'PUBLIC CHARITY' AS USED IN ARTICLE XVI, SECTION 5 OF THE ARKANSAS CONSTITUTION AS SUBSTITUTED BY SECTION 17 OF AMENDMENT 59 TO THE CONSTITUTION; AND FOR OTHER PURPOSES."

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

SECTION 1. The term "public charity", as used in Article XVI, Section 5 of the Arkansas Constitution as substituted by Section 17 of Amendment #59 approved by the electorate at the 1980 General Election, shall include but not be limited to veterans organizations such as American Legion and Veterans of Foreign Wars, and domestic fraternal societies, orders, or associations, operating under the lodge system, the net earnings of which are devoted exclusively to religious, charitable, scientific, literary, educational, and fraternal purposes, and which do not provide for the payment of life, sick, accident or other benefits.

SECTION 2. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 3. EMERGENCY. It is hereby found and determined by the General Assembly that Article XVI, Section 5 of the Arkansas Constitution as substituted by Section 17 of Amendment #59 to the Constitution provides that "buildings and grounds and materials used exclusively for public charity" shall be exempt from ad valorem taxation; that the term "public charity" is not defined in the Constitution and that the absence of such definition has resulted in uncertainty regarding taxation of certain properties; that it is essential to the proper, effective and efficient administration and enforcement of laws relating to ad valorem taxes that this term be defined at the earliest

practical date. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

