

Stricken language would be deleted from and underlined language would be added to present law.  
Act 1077 of the Regular Session

State of Arkansas  
90th General Assembly  
Regular Session, 2015

As Engrossed: H3/5/15 S3/25/15  
**A Bill**

HOUSE BILL 1388

By: Representative Wardlaw

### For An Act To Be Entitled

AN ACT TO LIMIT THE FEE LEVIED ON CATTLE FOR THE  
FUNDING OF THE BRUCELLOSIS CONTROL AND ERADICATION  
PROGRAM; AND FOR OTHER PURPOSES.

### Subtitle

TO LIMIT THE FEE LEVIED ON CATTLE FOR THE  
FUNDING OF THE BRUCELLOSIS CONTROL AND  
ERADICATION PROGRAM.

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

*SECTION 1. Arkansas Code § 2-40-206(a)(1), as amended by Section 1 of Act 342 of 2015 and concerning funding of the bovine disease control and eradication program, formerly known as the brucellosis control and eradication program, is amended to read as follows:*

*(a)(1)(A) In order to fund or partially fund the bovine disease control and eradication program, there is hereby levied ~~until July 1, 1990,~~ a fee of one dollar (\$1.00) per head on all cattle sold in this state; ~~after which the Arkansas Livestock and Poultry Commission shall establish the amount of the fee it feels necessary to continue to be used for the bovine disease control and eradication program.~~*

*(B)(i) However, if the Executive Director of the Arkansas Livestock and Poultry Commission determines there is an emergency, the executive director may promulgate a rule to temporarily raise the fee set in subdivision (a)(1)(A) of this section after receiving approval of the rule from the Legislative Council or, if the General Assembly is in session, the Joint Budget Committee.*



(ii) A rule adopted to raise the fee under this subdivision (a)(1)(B) shall be effective only during the period of time the emergency persists or for one (1) year, whichever is shorter.

(iii) If an emergency persists after one (1) year, the commission may promulgate a rule to extend the increased fee for additional one-year periods by following the procedures stated in subdivision (a)(1)(B)(i) of this section each year the rule increasing the fee is to be effective.

(iv) The executive director shall not adopt an emergency rule to raise the fee under this subdivision (a)(1)(B).

/s/Wardlaw

**APPROVED: 04/06/2015**