

SENATE AMENDMENT 1 TO sb753.

inserting additional sections immediately following Section 6 to read as follows:

"SECTION 7. (a) The current ad valorem tax on utility, industrial and commercial personal property levied by any school district is hereby abolished. In lieu thereof there is hereby levied a statewide tax on personal property owned by a utility company or an industrial or commercial entity at a rate of thirty five (35) mills on the dollar.

(b) The tax imposed by this section may be increased by no more than two (2) mills on the dollar each regular session. Such increase shall be approved by a two thirds (2/3) vote of the members of each house of the General Assembly.

(c) All ad valorem taxes levied by the state on utility property shall be based on the assessment of the Public Service Commission as provided in Arkansas Code §26-24-103. All ad valorem taxes levied by the state on commercial and industrial property shall be based on the assessment of the Assessment Coordination Division of the Arkansas Public Service Commission which shall have the full power and authority in the administration of the tax laws of this state to have the exclusive power of original assessment of commercial and industrial personal property. Any appeal of the Assessment Coordination Division s assessment shall be to the Arkansas Public Service Commission sitting as the State Equalization Board. The tax shall be collected in the same manner as all other ad valorem taxes collected by the county collector. The county collector shall not accept any ad valorem taxes from a utility company or industrial or commercial entity whether levied by a city, county, a school district or the state unless such company or entity remits all ad valorem taxes due to the collector.

(d) The county collector shall transmit the ad valorem taxes collected pursuant to this act to the state treasurer for credit to the Public School Fund.

SECTION 8. Arkansas Code Annotated §26-26-1202(a) is amended by adding subsection (3) to the end thereof as follows:

(3) It shall be the duty of the County Assessors and their deputies to use and follow the manuals, standards, and methodologies promulgated or approved by the Assessment Coordination Division of the Public Service Commission and to use the forms prescribed, furnished or approved by the said Division in making appraisals of the fair market value of real property for assessment purposes. It shall also be the duty of the County Equalization Boards, in performing their duties, to recognize and follow such manuals and standards, and the County Equalization Boards shall not change an assessment made through use of such manuals, methodologies and standards by the County Assessor unless such change is to correct clear error or is necessary to provide uniformity in the assessment of similar classes of property. The specific reason for any change in an assessment ordered by a County Equalization Board shall immediately be entered in detail in writing in the

records of its proceedings. It shall also be the duty of the County Judges, in hearing appeals from the decisions of the County Equalization Boards, to recognize and follow such manuals, methodologies and standards, and a County Judge shall not change an assessment of the County Assessor arrived at using approved manuals, standards, or methodologies unless such change is to correct clear error or is necessary to provide uniformity in the assessment of similar classes of property. "

and

by appropriately renumbering the subsequent sections of the bill