

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
94th General Assembly  
Regular Session, 2023

# A Bill

HOUSE BILL 1841

By: Representative L. Johnson

## For An Act To Be Entitled

AN ACT TO AMEND THE ARKANSAS CONSTITUTION CONCERNING ECONOMIC DEVELOPMENT PROJECTS; TO AMEND THE DEFINITION OF "ECONOMIC DEVELOPMENT PROJECTS" UNDER ARKANSAS CONSTITUTION, ARTICLE 12, § 5; TO ESTABLISH REQUIREMENTS FOR RETAIL FACILITIES THAT QUALIFY AS ECONOMIC DEVELOPMENT PROJECTS; AND FOR OTHER PURPOSES.

## Subtitle

TO AMEND THE DEFINITION OF "ECONOMIC DEVELOPMENT PROJECTS" UNDER ARKANSAS CONSTITUTION, ARTICLE 12, § 5; AND TO ESTABLISH REQUIREMENTS FOR RETAIL FACILITIES THAT QUALIFY AS ECONOMIC DEVELOPMENT PROJECTS.

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

SECTION 1. Pursuant to authority granted to the General Assembly by Arkansas Constitution, Article 12, § 5(d), Arkansas Constitution, Article 12, § 5(c)(1), concerning the definition of "economic development projects", is amended to read as follows:

(1) "Economic development projects" means the land, buildings, furnishings, equipment, facilities, infrastructure, and improvements that are required or suitable for the development, retention, or expansion of:

- (A) Manufacturing, production, and industrial facilities;
- (B) Research, technology, and development facilities;



- (C) Recycling facilities;
- (D) Distribution centers;
- (E) Call centers;
- (F) Warehouse facilities;
- (G) Job training facilities;
- (H) Regional or national corporate headquarters

facilities; ~~and~~

(I) Sports complexes designed to host local, state, regional, and national competitions, including without limitation baseball, softball, and other sports tournaments; and

(J) Facilities for the retail sale of goods that meet the requirements established by the General Assembly;

SECTION 2. Arkansas Code § 14-176-102(3), concerning the definitions used under the Local Job Creation, Job Expansion, and Economic Development Act of 2017, is amended to add an additional subdivision to read as follows:

(3) “Economic development project” means the land, buildings, furnishings, equipment, facilities, infrastructure, and improvements that are required or suitable for the development, retention, or expansion of:

- (A) Manufacturing, production, and industrial facilities;
- (B) Research, technology, and development facilities;
- (C) Recycling facilities;
- (D) Distribution centers;
- (E) Call centers;
- (F) Warehouse facilities;
- (G) Job training facilities;
- (H) Regional or national corporate headquarters

facilities;

(I) Sports complexes designed to host local, state, regional, and national competitions, including without limitation baseball, softball, and other sports tournaments; and

(J) ~~Facilities~~ A facility for the retail sale of goods that meet the following requirements:

(i) The owner of the facility is considering only one (1) site in this state that is in competition with at least one (1) site that is outside of this state;

(ii) The number of new full-time jobs that will be created for the facility exceeds:

(a) For a facility located in an urban area, seventy-five (75); and

(b) For a facility located in a rural area, twenty-five (25);

(iii) The annual projected sales for the facility are at least:

(a) Twenty million dollars (\$20,000,000) if the facility is located in an urban area; and

(b) Five million dollars (\$5,000,000) if the facility is located in a rural area;

(iv) The owner of the facility has demonstrated significant levels of planned capital investment, as determined by the Governor; and

(v) The governing bodies of the city and the county in which the facility will be located facility have each adopted a resolution in support of the facility;

SECTION 3. Arkansas Code § 14-176-102, concerning the definitions used under the Local Job Creation, Job Expansion, and Economic Development Act of 2017, is amended to add additional subdivisions to read as follows:

(13) "Rural area" means an area:

(A) With a population below twenty thousand (20,000) according to the most recent federal decennial census; and

(B) That is at least twenty (20) miles from a city or town with a population of more than twenty thousand (20,000) according to the most recent federal decennial census; and

(14) "Urban area" means an area of the state that is not a rural area.