

Stricken language would be deleted from and underlined language would be added to the Arkansas Constitution.

State of Arkansas
94th General Assembly
Regular Session, 2023

SJR 5

By: Senator C. Tucker

SENATE JOINT RESOLUTION

AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO
AUTHORIZE A COUNTY, CITY, TOWN, OR OTHER MUNICIPAL
CORPORATION TO FUND AND ADMINISTER A WATER SYSTEM
CUSTOMER ASSISTANCE PROGRAM.

Subtitle

AN AMENDMENT TO THE ARKANSAS CONSTITUTION
TO AUTHORIZE A COUNTY, CITY, TOWN, OR
OTHER MUNICIPAL CORPORATION TO FUND AND
ADMINISTER A WATER SYSTEM CUSTOMER
ASSISTANCE PROGRAM.

BE IT RESOLVED BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE
STATE OF ARKANSAS, AND BY THE HOUSE OF REPRESENTATIVES, A MAJORITY OF ALL
MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

THAT the following is proposed as an amendment to the Constitution of
the State of Arkansas, and upon being submitted to the electors of the state
for approval or rejection at the next general election for Representatives
and Senators, if a majority of the electors voting thereon at the election
adopt the amendment, the amendment shall become a part of the Constitution of
the State of Arkansas, to wit:

SECTION 1. Arkansas Constitution, Article 12, § 5, is amended to read
as follows:

§ 5. Political subdivisions not to become stockholders in or lend
credit to private corporations – Exceptions.



(a) ~~No~~ Except as otherwise provided in this Constitution, no county, city, town, or other municipal corporation, shall become a stockholder in any company, association, or corporation; or obtain or appropriate money for, or loan its credit to, any corporation, association, institution or individual.

(b) ~~However, a~~ A county, city, town, or other municipal corporation may obtain or appropriate money for a corporation, association, institution, or individual to:

- (1) Finance economic development projects; or
- (2) Provide economic development services.

(c) A county, city, town, or other municipal corporation may fund and administer a water system customer assistance program.

~~(e)~~(d) As used in this section:

(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;

(2) “Economic development services” means:

- (A) Planning, marketing, and strategic advice and counsel regarding job recruitment, job development, job retention, and job expansion;
- (B) Supervision and operation of industrial parks or other such properties; and
- (C) Negotiation of contracts for the sale or lease of industrial parks or other such properties; ~~and~~

(3) “Infrastructure” means:

- (A) Land acquisition;

- (B) Site preparation;
- (C) Road and highway improvements;
- (D) Rail spur, railroad, and railport construction;
- (E) Water service;
- (F) Wastewater treatment;
- (G) Employee training which may include equipment for such

purpose; and

- (H) Environmental mitigation or reclamation; and

(4) "Water system customer assistance program" means the program of a water utility that provides financial assistance to a customer of the water utility for payment of charges and fees of:

(A) The water utility related to the water utility's provision of water to the customer; and

(B) Other utilities collected by the water utility from the customer under criteria approved by the governing body of the water utility.

~~(d)~~(e) The General Assembly, by a three-fourths vote of each house, may amend the following provisions of ~~subsections (b) and (c)~~ of this section so long as the amendments are germane to this section and consistent with its policy and purposes:

- (1) Subsection (b); and
- (2) Subdivisions (d)(1)-(3).

SECTION 2. EFFECTIVE DATE. This amendment is effective on and after January 1, 2025.

SECTION 3. BALLOT TITLE AND POPULAR NAME. When this proposed amendment is submitted to the electors of this state on the general election ballot:

(1) The title of this Joint Resolution shall be the ballot title; and

(2) The popular name shall be "A Constitutional Amendment to Authorize a County, City, Town, or Other Municipal Corporation to Fund and Administer a Water System Customer Assistance Program."