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MEMORANDUM

To: Members of the House Committee on Taxation

From: Adam Siebers, Assistant Revisor

Date: February 7, 2023

Subject: House Bill No. 2176

Summary

House Bill No. 2176 would create the Arkansas City Area Public Library District Act.

Section 1 – Defines terms throughout the act and establishes the library district as all the territory located within the boundaries of Unified School District No. 470.

Section 2 – Allows the current Board of Trustees of the Arkansas City Public Library to adopt a resolution proposing to create a new library district and stating the proposed tax levy amount for the library district. If such resolution is adopted, an election would be held voting on whether to establish the proposed library district. Existing contracts and obligations of the Arkansas City Public Library would become obligations of the Arkansas City Area Library District.

Section 3 – If the election approves the Arkansas City Area Library District, such entity would be governed by a board of seven member trustees. Four members would be appointed by the governing body of the City of Arkansas City with one member residing outside the city. Three members would be appointed by the board of education of Unified School District No. 470 and who reside outside the city.

Members would be appointed for a term of four years and could only serve two consecutive terms without a break in service. Members would receive no compensation but would be paid actual and necessary expenses in attending meetings and in carrying out their duties as members of the board.

Section 4 – Establishes the organization structure of the board.

Section 5 – Requires the free use of the library by residents of the library district. The board may extend the use and privilege of the library to nonresidents or charge a reasonable fee.

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Section 6 – Allows the board the legal rights to contract, sue and be sued, acquire, hold and convey real and personal property. The board may also establish rules for the library, acquire materials for the library, employ employees, contract with other libraries, municipalities and school board for furnishing library services, receive moneys and gifts, make annual reports to the state librarian, and place money received in separate funds if necessary.

Section 7 – Requires the library district to prepare an annual budget to be certified by the Unified School District No. 470 Board of Education subject to a public hearing. Any budget resolution shall state the total tax to be levied for the library district by the board of education. Any tax levied would not be considered to be a tax levy of the Unified School District No. 470 Board of Education. The resolution would be required to be published in the official newspaper. Any increase in tax levy would be subject to a protest petition and election.

Section 9 – Includes the Arkansas City Area Public Library District Act as part of the State Grants-In-Aid to Libraries Act.