

EMERGENCY ORDINANCE NO. \_\_\_\_\_

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF CROSS, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE CALLING A SPECIAL ELECTION IN CROSS COUNTY, ARKANSAS ON THE QUESTION OF LEVYING A COUNTY-WIDE ONE PERCENT SALES AND USE TAX FOR THE PURPOSE OF OPERATING AND MAINTAINING HOSPITAL AND RELATED HEALTH CARE AND SUPPORT FACILITIES; PRESCRIBING OTHER MATTERS PERTAINING THERETO; AND DECLARING AN EMERGENCY.

WHEREAS, the Quorum Court of Cross County, Arkansas (the "County") has passed on \_\_\_\_\_, 2023, Ordinance No. 2023-\_\_ providing for the levy of a 1% sales and use tax within the County (the "Sales and Use Tax") for a period of forty-eight (48) months for the purpose of assisting in operating and maintaining hospital and related health care and support facilities (collectively, "Hospital Facilities"); and

WHEREAS, the purpose of this Ordinance is to call a special election on the question of the levy of the Sales and Use Tax;

NOW, THEREFORE, BE IT ORDAINED by the Quorum Court of Cross County, Arkansas:

Article 1. There be, and there is hereby called, a special election to be held on March 5, 2024, at which election there shall be submitted to the electors of the County the question of the levy of the Sales and Use Tax to assist in operating and maintaining Hospital Facilities.

Article 2. The question of levying the Sales and Use Tax shall be placed on the ballot for the election in substantially the following form:

Adoption of a 1% local sales and use tax within Cross County for a period of 48 months, the net collections of which remaining after the deduction of the administrative charges of the State of Arkansas and required rebates shall be distributed to and used by the County to assist in operating and maintaining hospital and related health care and support facilities, including particularly, without limitation, the hospital facility known as CrossRidge Community Hospital which is owned by the County and currently leased to St. Bernards Community Hospital Corporation d/b/a/ CrossRidge Community Hospital. Municipalities in the County will not

receive a share of the tax collections. The levy of the sales and use tax shall commence on October 1, 2024 and expire on September 30, 2028.

FOR.....

AGAINST .....

Article 3. The election shall be held and conducted and the vote canvassed and the results declared under the law and in the manner now provided for county elections and only qualified voters of the County shall have the right to vote at the election.

Article 4. The results of the election shall be proclaimed by the County Judge, and the Proclamation shall be published one time in a newspaper having a general circulation within the County, which Proclamation shall advise that the results as proclaimed shall be conclusive unless attacked in the courts within thirty days after the date of publication. Proof of publication of the Proclamation shall be filed with the Commissioner of Revenues of the State of Arkansas (the "Commissioner") not later than June 30, 2024.

Article 5. A copy of this Ordinance shall be filed with the Cross County Clerk at least 70 days prior to the election date. A copy of this Ordinance shall also be given to the Cross County Board of Election Commissioners so that the necessary election officials and supplies may be provided. A certified copy of this Ordinance and the Tax Ordinance shall also be provided to the Commissioner as soon as practical.

Article 6. The County Judge and County Clerk, for and on behalf of the County, be, and they are hereby authorized and directed to do any and all things necessary to call and hold the special election as herein provided and, if the levy of the Sales and Use Tax is approved by the electors, to cause the Sales and Use Tax to be collected, and to perform all acts of whatever nature necessary to carry out the authority conferred by this Ordinance.

Article 7. All ordinances and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Article 8. The provisions of this Ordinance are separable and if an article, phrase or provision shall be declared invalid, such declaration shall not affect the validity of the remainder of this Ordinance.

Article 9. It is hereby ascertained and declared that there is a need for continued tax support of Hospital Facilities in the County in order for the residents of the County to have sufficient and adequate hospital services, that continued tax support requires a favorable vote at an election called for that purpose, that in order to comply with Arkansas statutes, the election must be held on March 5, 2024 for there to be no interruption of tax support and that continued hospital services are immediately needed for the preservation of the public peace, health and safety and to remove existing hazards thereto. Therefore, it is declared that an emergency exists and this Ordinance being necessary for the preservation of the public peace, health and safety shall be in force and take effect immediately upon and after its passage.

PASSED: \_\_\_\_\_, 2023.

APPROVED:

ATTEST:

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
County Judge

(SEAL)

# CERTIFICATE

The undersigned, County Clerk of Cross County, Arkansas, hereby certifies that the foregoing pages are a true and perfect copy of Ordinance No. \_\_\_\_\_, passed at a \_\_\_\_\_ session of the Quorum Court, held at the regular meeting place of the Quorum Court at \_\_\_\_\_ o'clock \_\_.m., on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, and that the Ordinance is of record in Ordinance Record Book No. \_\_\_\_\_, Page \_\_\_\_\_, now in my possession.

GIVEN under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
County Clerk

(SEAL)