RESOLUTION NO. ______

A RESOLUTION TO INFORM THE ARKANSAS CONGRESSIONAL
DELEGATION OF THE NEED FOR A CLEAR METHOD TO ASSESS
COMPENSATING USE TAXES TO INTERNET SALES; TO NOTE THAT
APPROXIMATELY $3.9 MILLION IN REVENUES FROM ONE OF THE
FEW REVENUE SOURCES AVAILABLE TO AN ARKANSAS
MUNICIPALITY WERE LOST TO THE CITY OF LITTLE ROCK IN 2017
DUE TO THE LACK OF SUCH LEGISLATION; AND FOR OTHER
PURPOSES.

WHEREAS, the Board of Directors of the City of Little Rock, Arkansas, has long noted the need for
legislation to recognize the impact of Internet sales on the revenues available to the City in its efforts to
provide basic services; and,

WHEREAS, in Little Rock, Ark., Resolution No. 14,083 (March 3, 2015), the City encouraged the
Arkansas General Assembly to act in this fashion; and, in Little Rock, Ark., Resolution No. 14,547 (April
18, 2017) in light of legal developments in cases such as Direct Marketing Ass’n v. Brohl, 814 F.3d 1129
(10th Cir. 2016), the City again encouraged the Arkansas General Assembly to take action to help Arkansas
municipalities collect authorized Compensating Use Taxes; and,

WHEREAS, in Little Rock, Ark., Resolution No. 14,074 (February 24, 2015), the City encouraged the
Arkansas Congressional delegation to help address this issue, and in Little Rock, Ark., Resolution No.
14,493 (January 17, 2017), the City invited the delegation to meet with the Board of Directors, and other
governmental bodies within Pulaski County, to gain first-hand information regarding the impact that these
unpaid and uncollected revenues have on the provision of local services; and,

WHEREAS, in a year where massive fires have devastated the western United States from California
to Oregon and beyond, and where natural disasters have had tremendous impacts in Florida, Puerto Rico,
and Texas, and where winter storms created tremendous difficulties on the east coast and northern United
States, so that even with Federal Emergency Assistance, local governments have tremendous unbudgeted
costs to repair infrastructure, schools, emergency services, parks, and so much more, yet are not able to use
the funds legally available to them through Compensating Use Taxes never identified or collected on
Internet sales;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY
OF LITTLE ROCK, ARKANSAS:
Section 1. The Mayor and Members of the Board of Directors ask the Arkansas Congressional
delegation, either individual or as a group, to publicly meet with the Board of Directors of the City of Little
Rock, Arkansas, and any other Pulaski County governing body that wishes to attend, so the true impact of
lost revenues from Internet sales can be demonstrated, particularly when Sales and Compensating Use
Taxes are one of the few means that Arkansas municipalities have to raise funds for public services.

Section 2. The Mayor is directed to send an executed copy of this resolution to each member of the
Arkansas Congressional Delegation, and to work with City Staff to coordinate a public meeting in an
appropriate location for a detailed discussion of this issue, preferably during one of the Congressional
recesses before the end of 2017.

Section 3. Severability. In the event any title, section, paragraph, item, sentence, clause, phrase, or
word of this resolution is declared or adjudged to be invalid or unconstitutional, such declaration or
adjudication shall not affect the remaining portions of the resolution which shall remain in full force and
effect as if the portion so declared or adjudged invalid or unconstitutional were not originally a part of the
resolution.

Section 4. Repealer. All laws, ordinances, resolutions, or parts of the same, that are inconsistent with
the provisions of this resolution, are hereby repealed to the extent of such inconsistency.

ADOPTED: November 7, 2017

ATTEST: 

APPROVED:

_____________________________________   ______________________________________
Susan Langley, City Clerk        Mark Stodola, Mayor

APPROVED AS TO LEGAL FORM:

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Thomas M. Carpenter, City Attorney

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