

SECTION 1: The Code of Ordinances, Pope County, Arkansas, is amended by adding a section (article, etc.) to read as follows:

§ 1.1 Short Title. This Amendment shall be known as the “Pope County Local Control for Casino Gaming Amendment of 2018.”

§ 2.1 Definitions. For the purposes of this Amendment, the terms below are defined as follows:

(a) “Casino” shall be defined as a facility where casino gaming is conducted as authorized by any Arkansas law or constitutional amendment.

(b) “Casino Applicant” is defined as any individual, corporation, partnership, association, trust, limited liability company or other entity applying for a license to operate a facility where casino gaming is conducted as authorized by Arkansas law or constitutional amendment.

(c) “Casino Gaming” is defined as dealing, operating, carrying on, conducting, maintaining, or exposing for play any game played with cards, dice, equipment, or any mechanical, electromechanical, or electronic device or machine for money, property, checks, credit, or any representative value. If and when not prohibited by federal law, casino gaming shall also be defined to include accepting wagers on sporting events.

(d) “County Judge” is defined as the individual who is duly elected or appointed to serve as the County Judge for Pope County, Arkansas.

(e) “Quorum Court” is defined as the body of duly elected justices of the peace who make up the Pope County, Arkansas Quorum Court.

§3.1 Restriction on the County Judge until authorized by a Vote of the People. The County Judge shall be prohibited from issuing a Letter of Support or substantially giving similar approval or support for a Casino Applicant who is applying to the Arkansas Racing Commission, or other governing authority, for a license to conduct Casino Gaming at a casino to be located within Pope County, Arkansas without first referring the question as to the issuance of support of a Casino or Casino Applicant to a local election, at either a general election or special election, where in order for the County Judge to issue any such support letter or similar, a majority of the registered voters of Pope County, Arkansas must approve and authorize the County Judge to take such action.

§3.2 Restriction on the Quorum Court until authorized by a Vote of the People. The Quorum Court shall be prohibited from passing any resolution giving approval or support for a Casino Applicant who is applying to the Arkansas Racing Commission, or other governing authority, for a license to conduct Casino Gaming at a casino to be located within Pope County, Arkansas without first referring the question as to the issuance of such a resolution in support of a Casino or Casino Applicant to a local election, at either a general election or special election, where in order for the Quorum Court to issue any resolution or similar, a majority of the registered voters of Pope County, Arkansas must approve and authorize the Quorum Court to take such action.

§4.1 Severability. If any section of this Amendment or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provision or application of this Amendment that can be given effect without the invalid provision or applications, and to this end, the provisions of this amendment are declared to be severable.

SECTION 2: Effective Date: this Amendment shall be effective on and after November 14, 2018.