

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

**Act 1294 of the Regular Session**

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005  
4

*As Engrossed: S3/3/05*

**A Bill**

SENATE BILL 328

5 By: Senator J. Jeffress  
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**For An Act To Be Entitled**

9 AN ACT TO REQUIRE THE ARKANSAS DEPARTMENT OF  
10 *FINANCE AND ADMINISTRATION TO DISCLOSE THE NAMES*  
11 *AND ADDRESSES OF TAXPAYERS THAT ARE DELINQUENT IN*  
12 *REPORTING AND REMITTING SALES AND USE TAX AND*  
13 *HAVE BEEN SERVED WITH A BUSINESS CLOSURE ORDER;*  
14 *AND FOR OTHER PURPOSES.*

**Subtitle**

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17 AN ACT TO REQUIRE THE ARKANSAS  
18 DEPARTMENT OF FINANCE AND ADMINISTRATION  
19 *TO DISCLOSE A LIST OF TAXPAYERS THAT*  
20 *HAVE BEEN SERVED WITH BUSINESS CLOSURE*  
21 *ORDERS.*  
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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26 *SECTION 1. Arkansas Code § 26-18-303(b)(16) and (17), pertaining to*  
27 *confidential records, are amended and a new subdivision is added to read as*  
28 *follows:*

29 *(16) Disclosure to county tax assessors of information that may*  
30 *affect personal property tax assessments, including information obtained*  
31 *during the course of audits or investigations concerning motor vehicles,*  
32 *boats, trailers, airplanes, or other items of personal property that may be*  
33 *subject to assessment in that county. Such information may only be released*  
34 *following completion of an audit or investigation by the director and*  
35 *following a determination by the director that there is a strong possibility*



1 the taxpayer has failed to properly assess the taxpayer's personal property  
2 in the county. In providing such information, the director shall not allow  
3 the county tax assessors to examine any tax returns or audit records; ~~and~~

4 (17) Disclosure to a capital development company organized under  
5 the Arkansas Capital Development Company Act, § 15-4-1001 et seq., of the  
6 name and tax identification number of and amount of any tax credit received  
7 by a taxpayer as a result of the purchase of an equity interest in a capital  
8 development company; and

9 (18)(A) For the purpose of timely and accurate collection of  
10 local sales and use tax, disclosure of the names and addresses of taxpayers  
11 that have failed three (3) times within any consecutive twenty-four month  
12 period to either report or remit state or local gross receipts or  
13 compensating use tax and have been served with a business closure order  
14 pursuant to § 26-18-1001, et seq.

15 (B) Disclosure shall be made by posting weekly on the  
16 Internet site maintained by the Department of Finance and Administration the  
17 business name, the business address, and the city and county in which the  
18 business is located as it appears on the sales tax permit of each taxpayer  
19 identified in subdivision (18)(A) of this section.

20 (C) The information posted on the Internet site for a  
21 taxpayer shall remain on the Internet site until that taxpayer is no longer  
22 subject to the business closure provisions of § 26-18-1001 et seq.

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24 /s/ J. Jeffress

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27 APPROVED: 3/29/2005  
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