

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

As Engrossed: H3/25/15
A Bill

HOUSE BILL 1866

5 By: Representative Gates
6

7 **For An Act To Be Entitled**

8 AN ACT TO AMEND THE LAW CONCERNING THE TIME
9 LIMITATIONS FOR A REFUND OR CREDIT FOR AN OVERPAYMENT
10 OF A STATE TAX; TO ALLOW A TAXPAYER TO CLAIM A REFUND
11 OR CREDIT FOR AN OVERPAYMENT OF A STATE TAX DURING
12 THE SAME PERIOD OF TIME THAT THE STATE MAY ASSESS
13 OVERDUE TAXES; AND FOR OTHER PURPOSES.
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16 **Subtitle**

17 TO ALLOW A TAXPAYER TO CLAIM A REFUND OR
18 CREDIT FOR AN OVERPAYMENT OF A STATE TAX
19 DURING THE SAME PERIOD OF TIME THAT THE
20 STATE MAY ASSESS OVERDUE TAXES.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code § 26-18-306(i)(1), concerning the time
26 limitations for assessments, collections, and refunds, is amended to read as
27 follows:

28 (i)(1)(A) An amended return or verified claim for credit or refund of
29 an overpayment of ~~any~~ a state tax shall be filed by the taxpayer within three
30 (3) years from the time the return was filed or two (2) years from the time
31 the tax was paid, whichever of the periods expires later.

32 (B) ~~The provisions of subdivision~~ Subdivision (i)(1)(A) of
33 this section ~~shall~~ does not apply to a tax paid as a result of an audit or
34 proposed assessment.

35 (C)(i) If a taxpayer is subject to an audit, then the
36 taxpayer may file an amended return or verified claim for credit or refund of



1 an overpayment of a state tax that occurred at any time during the time
2 period for which the audit is performed.

3 (ii) However, the total refund of overpayments for
4 the extended audit period shall not be more than the total amount assessed
5 for the extended audit period.

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7 /s/Gates

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10 **APPROVED: 04/07/2015**
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