

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023  
4

# A Bill

SENATE BILL 434

5 By: Senator J. Dismang  
6 By: Representative Eaves  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE ARKANSAS INCOME TAX WITHHOLDING  
10 ACT OF 1965 TO REDUCE THE NUMBER OF EMPLOYEES  
11 REQUIRED TO MANDATE THE ELECTRONIC FILING OF ANNUAL  
12 WITHHOLDING STATEMENTS; TO REDUCE THE METHODS BY  
13 WHICH AN EMPLOYER CAN FILE ANNUAL WITHHOLDING  
14 STATEMENTS; AND FOR OTHER PURPOSES.  
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## Subtitle

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18 TO REDUCE THE NUMBER OF EMPLOYEES  
19 REQUIRED TO MANDATE THE ELECTRONIC FILING  
20 OF ANNUAL WITHHOLDING STATEMENTS AND TO  
21 REDUCE THE METHODS BY WHICH AN EMPLOYER  
22 CAN FILE ANNUAL WITHHOLDING STATEMENTS.  
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24  
25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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27 SECTION 1. Arkansas Code § 26-51-909(b)(2), concerning the annual  
28 income tax withholding statement, is amended to read as follows:

29 (1) The annual statement of withholding shall be in the form  
30 prescribed by the Secretary of the Department of Finance and Administration.

31 (2)(A) The statement from the employer shall be filed with the  
32 secretary on or before January 31 following the close of the income year.

33 (B) ~~For tax years beginning on or after January 1, 2006,~~  
34 ~~an~~ An employer who has ~~two hundred fifty (250)~~ one hundred twenty-five (125)  
35 or more employees during the employer's income year shall file the statement  
36 ~~either:~~



1                                    ~~(i) Electronically;~~  
 2                                    ~~(ii) On magnetic media; or~~  
 3                                    ~~(iii) In any other machine readable form approved by~~  
 4 ~~the secretary.~~  
 5 electronically.

6                                    (C) The secretary may waive the requirement in subdivision  
 7 (b)(2)(B) of this section if the secretary determines, on the basis of an  
 8 application by the employer, that filing the statement electronically would  
 9 cause an undue hardship on the employer.

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 11                   SECTION 2. EFFECTIVE DATE. Section 1 of this act is effective for tax  
 12 years beginning on or after January 1, 2024.

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 15                                    **APPROVED: 4/11/23**  
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