

As Engrossed: 3/18/91

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**

A BILL ACT 815 OF 1991
SENATE BILL 616

4 **By: Senators Canada, Scott, Gibson,**
5 **Yates, Cassady, and Fitch**
6

7 **For An Act To Be Entitled**

8 "AN ACT TO AMEND ARKANSAS CODE SECTIONS 26-18-208(2) AND
9 26-18-208(3) TO CHANGE THE FAILURE TO PAY PENALTY FOR
10 INDIVIDUAL INCOME TAX RETURN FILERS; AND FOR OTHER
11 PURPOSES."
12

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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15 SECTION 1. Arkansas Code 26-18-208(2) is hereby amended to read as
16 follows:

17 "(2) (A) In case of a failure to pay the amount shown as tax on any
18 return required to be filed under any state tax law, except an individual
19 income tax return, on or before the date prescribed for payment of the tax,
20 unless it is shown that the failure to pay is due to reasonable cause and not
21 to wilful neglect, there shall be added to the amount shown as tax on the
22 return five percent (5%) of the amount of the tax if the failure is for not
23 more than one (1) month, with an additional five percent (5%) for each
24 additional month, or fraction thereof, during which the failure continues, not
25 to exceed thirty-five percent (35%) in the aggregate;

26 (B) In case of failure to pay the amount shown as tax on any
27 individual income tax return required to be filed, on or before the date
28 prescribed for payment of the tax, unless it is shown that the failure to pay
29 is due to reasonable cause and not to wilful neglect, there shall be added to
30 the amount shown as tax on the return one percent (1%) of the amount of the
31 tax if the failure is for not more than one (1) month, with an additional one
32 percent (1%) for each additional month, or fraction thereof, during which the
33 failure continues, not to exceed thirty-five percent (35%) in the aggregate."
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35 SECTION 2. Arkansas Code 26-18-208(3) is hereby amended to read as
36 follows:

