

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.

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003  
4

# A Bill

Act 774 of 2003  
SENATE BILL 432

5 By: Senator Capps  
6  
7

## For An Act To Be Entitled

9 AN ACT TO CHANGE THE DUE DATE FOR FILING STATE  
10 INCOME TAX RETURNS TO THE DUE DATE FOR FILING THE  
11 CORRESPONDING FEDERAL INCOME TAX RETURN; AND FOR  
12 OTHER PURPOSES.  
13

## Subtitle

14 TO CHANGE THE DUE DATES FOR FILING STATE  
15 OF ARKANSAS INCOME TAX RETURNS TO THE  
16 DUE DATES FOR FILING FEDERAL INCOME TAX  
17 RETURNS.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 7-6-222(c), regarding Arkansas individual  
24 income tax credits for certain individual political contributions, is amended  
25 to read as follows:

26 (c) Credits for contributions qualifying under this section and made  
27 prior to ~~May~~ April 15 in a calendar year may be applied to the return filed  
28 for the previous taxable year.  
29

30 SECTION 2. Arkansas Code § 26-51-806(a), regarding the time and place  
31 for filing Arkansas income tax returns, is amended to read as follows:

32 (a)(1) Returns shall be in such form as the Director of the Department  
33 of Finance and Administration, from time to time, may prescribe and shall be  
34 filed with the director's office at Little Rock, Arkansas ~~on or before May~~  
35 ~~15, if covering the preceding calendar year and, if covering a fiscal year,~~  
36 ~~on or before the expiration of four and one half (4 1/2) months from the~~



1 ~~closing date of the period covered.~~

2 (2) Returns for all income taxes other than corporation income  
3 tax and cooperative associations shall be filed as follows:

4 (A) If covering the preceding calendar year, on or before  
5 April 15; or

6 (B) If covering a fiscal year, on or before the expiration  
7 of three and one-half (3 1/2) months after the closing date of the period  
8 covered.

9 (3) Returns for corporation income tax shall be filed as  
10 follows:

11 (A) If covering the preceding calendar year, on or before  
12 March 15; or

13 (B) If covering a fiscal year, on or before the expiration  
14 of two and one-half (2 1/2) months after the closing date of the period  
15 covered.

16 (4)(A) Returns for cooperative association income tax shall be  
17 filed as follows:

18 (i) If covering the preceding calendar year, on or  
19 before September 15; or

20 (ii) If covering a fiscal year, on or before the  
21 expiration of eight and one-half (8 1/2) months after the closing date of the  
22 period covered.

23 (B) "Cooperative association" means a cooperative  
24 association as described in § 26 U.S.C. § 1381(a) as in effect on January 1,  
25 2003.

26  
27 SECTION 3. Arkansas Code § 26-51-807(b)(2), regarding interest on  
28 income tax that is paid after the due date, is amended to read as follows:

29 (2)(A) The interest on income tax other than corporation income  
30 tax may be computed from ~~May~~ April 16 if the return covers the preceding  
31 calendar year; and, if the return covers a fiscal year, interest shall be  
32 computed from the day following the expiration of ~~four and one half (4 1/2)~~  
33 three and one half (3 1/2) months after the closing date of the period  
34 covered.

35 (B) The interest on corporation income tax shall be  
36 computed as follows:

- 1                   (i) If the return covers a calendar year, from March
- 2 16; or
- 3                   (ii) If the return covers a fiscal year, from the
- 4 day following the expiration of two and one half (2 1/2) months after the
- 5 closing date of the period covered.

6

7           SECTION 4. Arkansas Code § 26-51-911(c), regarding declarations of

8 estimated Arkansas income tax, is amended to read as follows:

9           (c)(1) The declaration shall be filed with the director on or before

10 the fifteenth day of the ~~fifth~~ fourth month of the income year of the

11 taxpayer.

12           (2) However, taxpayers whose income from farming for the income

13 year can reasonably be expected to amount to at least two-thirds (2/3) of the

14 total gross income from all sources for the income year may file the

15 declaration and pay the estimated tax on or before the fifteenth day of the

16 second month after the close of the income year, or in lieu of filing any

17 declaration, may file an income tax return and pay the tax on or before the

18 fifteenth day of the third month after the close of the income year.

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20           SECTION 5. Arkansas Code § 26-51-913(a)(2), regarding dates for

21 payment of estimated tax, is amended to read as follows:

22           (2) If the estimated tax is in excess of one thousand dollars

23 (\$1,000), it may be paid in full at the time of filing the declaration of

24 estimated tax, or, at the election of the taxpayer, it may be paid in four

25 equal installments ~~of one fourth (1/4) at the time prescribed for filing the~~

26 ~~declaration, one fourth (1/4) on or before the fifteenth day of the sixth~~

27 ~~month of the income year, one fourth (1/4) on or before the fifteenth day of~~

28 ~~the ninth month of the income year, and one fourth (1/4) on or before the~~

29 ~~fifteenth day of the first month after the close of the income year~~ to be due

30 as follows:

31                   (A) The first installment is due at the time prescribed

32 for filing the declaration;

33                   (B) The second installment is due on or before the

34 fifteenth day of the sixth month of the income year;

35                   (C) The third installment is due on or before the

36 fifteenth day of the ninth month of the income year; and

1                    (D)(i) For individual income tax, the fourth installment  
2 is due on or before the fifteenth day of the first month after the close of  
3 the income year; or

4                    (ii) For corporation income tax, the fourth  
5 installment is due on or before the fifteenth day of the last month of the  
6 income year.

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8                    SECTION 6. EFFECTIVE DATE. This act shall apply to tax years  
9 beginning on or after January 1, 2003.

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12                    APPROVED: 3/27/2003  
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