Stricken language would be deleted from and underlined language would be added to present law. Act 583 of the Regular Session

•	1 2	State of Arkansas 92nd General Assembly	A Bill	
By: Senator A. Clark For An Act To Be Entitled AN ACT TO ENCOURAGE CHARITABLE GIVING AND ELIMINATE PERVERSE AND ABSURD TAXES AND DISINCENTIVES ON CHARITABLE GIVING; TO EXEMPT CERTAIN WITHDRAWALS OF STOCK FROM THE SALES AND USE TAX; AND FOR OTHER PURPOSES. Subtitle TO ENCOURAGE CHARITABLE GIVING AND ELIMINATE PERVERSE AND ABSURD TAXES AND SINCENTIVES ON CHARITABLE GIVING; AND TO EXEMPT CERTAIN WITHDRAWALS OF STOCK FROM THE SALES AND USE TAX. BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS: SECTION 1. Arkansas Code § 26-52-322(b)(2), concerning withdrawals from stock, is amended to read as follows: (2) For purposes of calculating the gross receipts tax or the compensating use tax under subdivision (b)(1) of this section, the gross receipts or gross proceeds for a withdrawal from stock is the: (A) The value of any the goods, wares, merchandise, or tangible personal property:	3	·		SENATE BILL 146
For An Act To Be Entitled An Act To Encourage Charitable Giving and Eliminate Perverse and absurd taxes and disincentives on Charitable Giving; To exempt certain withdrawals of Stock from the sales and use tax; and for other Purposes. Subtitle To Encourage Charitable Giving and Eliminate Perverse and absurd taxes and Be disincentives on Charitable Giving and To exempt certain withdrawals of stock From the sales and use tax. Be it enacted by the general assembly of the state of arkansas: Section 1. Arkansas Code § 26-52-322(b)(2), concerning withdrawals from stock, is amended to read as follows: (2) For purposes of calculating the gross receipts tax or the compensating use tax under subdivision (b)(1) of this section, the gross receipts or gross proceeds for a withdrawal from stock is the; (A) The value of any the goods, wares, merchandise, or tangible personal property:		,		
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30 (A) The value of any the goods, wares, merchandise, or tangible personal property withdrawn if the goods, wares, merchandise, or tangible personal property:		-		_
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32 <u>tangible personal property:</u>		<u> </u>	<u> </u>	
				rchandise, or
(1) Were Withdrawn for concimnfion or ited in the		tangible personal pro		• .1
			-	or use in the
<pre>34</pre>		established business;		agaa products
35 <u>(ii) Are alcoholic beverages or tobacco products; or tobacco product</u>		/D\		_

1	or tangible personal property, other than alcoholic beverages or tobacco
2	products, were withdrawn for consumption or use by a:
3	(i) Nonprofit organization described in 26 U.S.C. §
4	501(c)(3), as it existed on January 1, 2019;
5	(ii) Public educational institution;
6	(iii) Nonprofit church; or
7	(iv) Private individual who has suffered damage or
8	loss as the result of a natural disaster if:
9	(a) The private individual receiving the
10	goods, wares, merchandise, or tangible personal property resides in an area
11	of the state that the Governor has officially declared to be a disaster area;
12	<u>and</u>
13	(b) A representative of the established
14	business provides a sworn affidavit to the Department of Finance and
15	Administration with the report required under § 26-52-501 describing in
16	detail the goods, wares, merchandise, or tangible personal property withdrawn
17	and the disaster area in which each recipient of the withdrawn goods, wares,
18	merchandise, or tangible personal property resides.
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20	SECTION 2. EFFECTIVE DATE. Section 1 of this act is effective on the
21	first day of the calendar quarter following the effective date of this act.
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24	APPROVED: 3/29/19
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