

Hall of the House of Representatives

85th General Assembly - Regular Session, 2005

Amendment Form

Subtitle of House Bill No. 2392

"TO AMEND THE ESTATE TAX LAW OF ARKANSAS."

Amendment No. 2 to House Bill No. 2392.

Amend House Bill No. 2392 as engrossed, H3/3/05 (version: 03-03-2005 08:43):

Page 2, line 14, delete "2057" and substitute "2056"

AND

Page 3, delete lines 7 through 26 and substitute the following;

<u>"Adjusted Taxable Estate</u>	<u>Tax</u>	<u>%</u>	<u>of Excess Over</u>
<u>At least But less than</u>			
\$ 2,040,000 2,540,000	\$ 106,800	8.0	2,040,000
2,540,000 3,040,000	146,800	8.8	2,540,000
3,040,000 3,540,000	190,800	9.6	3,040,000
3,540,000 4,040,000	238,800	10.4	3,540,000
4,040,000 5,040,000	290,800	11.2	4,040,000
5,040,000 6,040,000	402,800	12.0	5,040,000
6,040,000 7,040,000	522,800	12.8	6,040,000
7,040,000 8,040,000	650,800	13.6	7,040,000
8,040,000 9,040,000	786,800	14.4	8,040,000
9,040,000 10,040,000	930,800	15.2	9,040,000
10,040,000 and over	1,082,800	16.0	10,040,000"

AND

Immediately following SECTION 3, add an additional section of the bill to read as follows:

"SECTION 4. Arkansas Code § 26-59-109 is amended to read as follows:
26-59-109. Estate tax returns generally.

(a) RETURNS BY EXECUTOR. In all cases where the gross estate at the death of a citizen or resident of the United States exceeds ~~one million dollars (\$1,000,000)~~ one million five hundred thousand dollars (\$1,500,000) and a portion of the property comprising the gross estate is located in Arkansas, then the executor shall make a return with respect to the estate tax imposed by this chapter.

(1) CITIZENS OR RESIDENTS OF THE UNITED STATES. In all cases where the gross estate at the death of a citizen or resident of the United



States exceeds three million five hundred thousand dollars (\$3,500,000) and a portion of the property composing the gross estate is located in Arkansas, then the executor shall make a return with respect to the estate tax imposed by this chapter.

(2) NONRESIDENTS NOT CITIZENS OF THE UNITED STATES. In the case of the estate of every nonresident not a citizen of the United States, if that part of the gross estate that is situated in the United States exceeds three million five hundred thousand dollars (\$3,500,000) and a portion of the property composing the gross estate is located in Arkansas, then the executor shall make a return with respect to the estate tax imposed by this chapter.

(3) PHASE-IN OF FILING REQUIREMENT AMOUNT.

In the case of decedents dying in: Subdivisions (a)(1) and (a)(2) shall be applied by substituting for \$3,500,000 the following amount:

2002 and 2003	\$ 1,000,000
2004	1,500,000
2005	1,500,000
2006, 2007, and 2008	2,000,000
2009 and thereafter	3,500,000

(b) RETURNS BY BENEFICIARIES. If the executor is unable to make a complete return as to any part of the gross estate of the decedent, he or she shall include in his or her return a description of such part and the name of every person holding a legal or beneficial interest therein. Upon notice from the Director of the Department of Finance and Administration, such person shall in like manner make a return as to such part of the gross estate.

(c) RETURNS DUE. Returns made under subsection (a) of this section shall be filed within nine (9) months after the date of the decedent's death.

(d) PLACE OF FILING. Estate tax returns shall be filed with the director at his or her office in Little Rock, Arkansas."

AND

Appropriately renumber the sections of the bill

AND

Page 6, delete line 4, and substitute "1, 2005."

The Amendment was read _____
 By: Representative Bradford
 KWH/KSW - 03-10-2005 08:52
 KWH285

 Chief Clerk