

Hall of the House of Representatives

87th General Assembly - Regular Session, 2009

Amendment Form

Subtitle of House Bill No. 1942

"TO ALLOW A CITY THAT ADJOINS A BORDER CITY THAT IS SEPARATED BY A RIVER FROM A CITY IN ANOTHER STATE TO SELL CIGARETTES AT THE RATE USED BY THE BORDER CITY."

Amendment No. 1 to House Bill No. 1942.

Amend House Bill No. 1942 as originally introduced:

Page 2, delete lines 11 through 13 and substitute the following:

"section, "Arkansas border city" means a city which is entitled to the border zone cigarette tax rate and is separated by a navigable river from a city in the other state that is located in a metropolitan statistical area designated by the United States Census Bureau with a population of at least one million (1,000,000)."

AND

Immediately following SECTION 1, add an additional section to read as follows:

"SECTION 2. Arkansas Code § 26-57-803(a), concerning the cigarette tax, is amended to read as follows:

(a)(1) In addition to the excise or privilege taxes levied under §§ 26-57-208 and 26-57-802, there is levied a tax of four dollars and seventy-five cents (\$4.75) per one thousand (1,000) cigarettes sold in the state.

(2) Whenever there are two (2) adjoining cities, each with a population of five thousand (5,000) or more separated by a state line, the tax on cigarettes sold in such adjoining Arkansas city shall be at the rate imposed by law on cigarettes sold in the adjoining city outside of Arkansas plus the fifty cents (50¢) per one thousand (1,000) cigarettes presently imposed by § 26-57-802. The tax shall not exceed the tax upon cigarettes imposed by this subchapter.

(3) The tax on cigarettes sold in Arkansas within three hundred feet (300') of a state line, in any Arkansas city which adjoins a state line, or in any city which is separated only by a navigable river from a city which adjoins a state line shall be at the rate imposed by law on cigarettes sold in the adjoining state plus the twenty-five cents (25¢) per one thousand (1,000) cigarettes presently imposed by § 26-57-802. The tax shall not exceed the tax upon cigarettes imposed by this subchapter.



(4)(A) The tax on cigarettes shall be at the rate imposed by law on cigarettes sold in the adjoining state plus the additional tax levied by § 26-57-802 when the cigarettes are sold in an Arkansas city or incorporated town whose corporate limits adjoin the corporate limits of an Arkansas border city.

(B) As used in subdivision (a)(4)(A) of this section, "Arkansas border city" means a city which is entitled to the border zone cigarette tax rate and is separated by a navigable river from a city in the other state that is located in a metropolitan statistical area designated by the United States Census Bureau with a population of at least one million (1,000,000).

(C) The tax shall not exceed the tax upon cigarettes otherwise imposed under Arkansas law."

AND

Page 3, delete lines 10 through 12, and substitute the following:

"Arkansas border city" means a city which is entitled to the border zone cigarette tax rate and is separated by a navigable river from a city in the other state that is located in a metropolitan statistical area designated by the United States Census Bureau with a population of at least one million (1,000,000)."

AND

Page 4, delete lines 2 through 4, and substitute the following:

"Arkansas border city" means a city which is entitled to the border zone cigarette tax rate and is separated by a navigable river from the city in the other state that is located in a metropolitan statistical area designated by the United States Census Bureau with a population of at least one million (1,000,000)."

AND

Appropriately renumber the sections of the bill.

The Amendment was read _____
By: Representative Ingram
MMC/MAJ - 03-12-2009 14:43
MMC262

Chief Clerk