

Hall of the House of Representatives
88th General Assembly - Regular Session, 2011
Amendment Form

Subtitle of House Bill No. 1495

TO CREATETHE ARKANSAS SMALL BUSINESS TAX FAIRNESS ACT AND TO REQUIRE COMBINED
REPORTING FOR INCOME TAX PURPOSES.

Amendment No. 2 to House Bill No. 1495

Amend House Bill No. 1495 as engrossed, H3/8/11 (version: 3/8/2011 10:18:32 AM)

Page 13, delete line 30 and substitute the following:

“file a combined return.

(3) Corporations that are not members of a unitary business under the Arkansas Small Business Tax Fairness Act, § 26-51-2401 et seq., shall file returns on either a consolidated basis or a separate entity basis.”

AND

Delete SECTION 4 in its entirety and substitute the following:

“SECTION 4. Arkansas Code § 26-51-805(a), concerning consolidated income tax returns for corporations, is amended to read as follows:

(a)(1)(A) All corporations ~~which that~~ are eligible members of an affiliated group, as ~~that term is~~ defined in 26 U.S.C. § 1504(a) and (b), ~~as of it existed on~~ January 1, 1989, ~~which affiliated group files a federal consolidated corporate income tax return pursuant to 26 U.S.C. §§ 1501-1505 as of January 1, 1989, may elect to~~ shall file a consolidated combined Arkansas corporate income tax return under the Arkansas Small Business Tax Fairness Act, § 26-51-2401 et seq., if the affiliated group files a federal consolidated corporate income tax return under 26 U.S.C. §§ 1501-1505, as they existed on January 1, 1989.

(B) Corporations that are not members of a unitary business under the Arkansas Small Business Tax Fairness Act, § 26-51-2401 et seq., shall file returns on either a consolidated basis or a separate entity basis.

(2) However, only corporations in the affiliated group that have gross income from sources within ~~the State of~~ Arkansas that is subject to taxation under ~~the provisions of the Arkansas~~ Income Tax Act of 1929, as



The Amendment was read _____

By: Representative Nickels

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Chief Clerk

~~amended,~~ § 26-51-101 et seq., shall be eligible to file consolidated corporate income tax returns in Arkansas.”