

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Senator Bill Walters**

# A Bill

**SENATE BILL**

## **For An Act To Be Entitled**

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED 26-52-103 TO  
9 PROVIDE THAT `GROSS RECEIPTS' OR `GROSS PROCEEDS' SHALL  
10 NOT INCLUDE MANUFACTURER REBATES; AND FOR OTHER PURPOSES."

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12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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14 SECTION 1. Arkansas Code 26-52-103(a)(4) is hereby amended to read as  
15 follows:

16 "(4) `Gross receipts' or `gross proceeds' means the total amount  
17 of consideration for the sale of tangible personal property and such services  
18 as are herein specifically provided for, whether the consideration is in money  
19 or otherwise, without any deduction on account of the cost of the properties  
20 sold, labor service performed, interest paid, losses or any expenses  
21 whatsoever. However, the term `gross receipts' or `gross proceeds' shall not  
22 include the manufacturer's federal excise taxes levied upon articles if the  
23 manufacturer's federal excise taxes are separately stated or separately  
24 billed. Furthermore, as it relates to the sale of a new motor vehicle, `gross  
25 receipts' or `gross proceeds' shall not include manufacturer rebates whether  
26 received by the dealer or the purchaser. The term `gross proceeds' or `gross  
27 receipts' shall include the value of any goods, wares, merchandise, or  
28 property withdrawn or used from the established business or from the stock in  
29 trade of the established reserves for consumption or use in such business or  
30 by any other person;"

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32 SECTION 2. All provisions of this act of a general and permanent nature  
33 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
34 Revision Commission shall incorporate the same in the Code.

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1           SECTION 3. If any provision of this act or the application thereof to  
2 any person or circumstance is held invalid, such invalidity shall not affect  
3 other provisions or applications of the act which can be given effect without  
4 the invalid provision or application, and to this end the provisions of this  
5 act are declared to be severable.

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7           SECTION 4. All laws and parts of laws in conflict with this act are  
8 hereby repealed.

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