

*As Engrossed: 3/18/91*

1 **State of Arkansas**

2 **78th General Assembly**

3 **Regular Session, 1991**

4 **By: Senators Canada, Scott, Gibson,**

5 **Yates, Cassidy, and Fitch**

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

8 "AN ACT TO AMEND ARKANSAS CODE SECTIONS 26-18-208(2) AND  
9 26-18-208(3) TO CHANGE THE FAILURE TO PAY PENALTY FOR  
10 INDIVIDUAL INCOME TAX RETURN FILERS; AND FOR OTHER  
11 PURPOSES."

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

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15 SECTION 1. Arkansas Code 26-18-208(2) is hereby amended to read as  
16 follows:

17 "(2)(A) In case of a failure to pay the amount shown as tax on any  
18 return required to be filed under any state tax law, except an individual  
19 income tax return, on or before the date prescribed for payment of the tax,  
20 unless it is shown that the failure to pay is due to reasonable cause and not  
21 to wilful neglect, there shall be added to the amount shown as tax on the  
22 return five percent (5%) of the amount of the tax if the failure is for not  
23 more than one (1) month, with an additional five percent (5%) for each  
24 additional month, or fraction thereof, during which the failure continues, not  
25 to exceed thirty-five percent (35%) in the aggregate;

26 (B) In case of failure to pay the amount shown as tax on any  
27 individual income tax return required to be filed, on or before the date  
28 prescribed for payment of the tax, unless it is shown that the failure to pay  
29 is due to reasonable cause and not to wilful neglect, there shall be added to  
30 the amount shown as tax on the return one percent (1%) of the amount of the  
31 tax if the failure is for not more than one (1) month, with an additional one  
32 percent (1%) for each additional month, or fraction thereof, during which the  
33 failure continues, not to exceed thirty-five percent (35%) in the aggregate."

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35 SECTION 2. Arkansas Code 26-18-208(3) is hereby amended to read as

