

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative McGinnis**

A Bill

HOUSE BILL

For An Act To Be Entitled

8 "AN ACT TO AMEND ARK. CODE ANN. §26-52-403 (b) TO EXEMPT
9 FROM SALES AND USE TAX FARM MACHINERY USED EXCLUSIVELY FOR
10 THE FERTILIZATION OF AGRICULTURAL CROPS; AND FOR OTHER
11 PURPOSES."

Subtitle

14 "EXEMPTS FARM MACHINERY USED IN FERTILIZING CROPS FROM
15 SALES AND USE TAX."

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

20 SECTION 1. Ark.Code Ann. §26-52-403(b) is amended to read as follows:

21 "(b) As used in this section, farm equipment and machinery means:

22 (1) implements used by a farmer exclusively and directly for the
23 agricultural production of food or fiber as a business;

24 (2) implements used by a non-farmer to harvest crops for a
25 farmer;

26 (3) implements used by the farmer or any other person to apply
27 fertilizer in the agricultural production of food or fiber as a business.

28 However, the term farm equipment and machinery shall not include implements
29 used in the production and severance of timber or any motor vehicle of a type
30 subject to registration for highway use, or airplane, or hand tools."

31

32 SECTION 2. Ark. Code Ann. §26-52-403(c)(1) is amended to read as
33 follows:

34 "(c)(1) Each purchaser of farm machinery must certify, in writing, on the
35 copy of the invoice or sales ticket to be retained by the seller that the farm

1 machinery will be used exclusively and directly in the production of food or
2 fiber as a business."

3

4 SECTION 3. All provisions of this act of a general and permanent nature
5 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
6 Revision Commission shall incorporate the same in the Code.

7

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

13

14 SECTION 5. All laws and parts of laws in conflict with this act are
15 hereby repealed.

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

