

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003

A Bill

HOUSE BILL 2468

4
5 By: Representative Mathis
6
7

For An Act To Be Entitled

8
9 AN ACT TO INCREASE THE RATE OF TAX ON EACH GALLON
10 OF SPIRITUOUS LIQUOR; AND FOR OTHER PURPOSES.
11

Subtitle

12
13 AN ACT TO INCREASE THE RATE OF TAX ON
14 EACH GALLON OF SPIRITUOUS LIQUOR.
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16

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code § 3-7-104 is amended to read as follows:
20 3-7-104. Rate of tax.

21 (a) There is levied and there shall be collected as provided by law
22 and regulation the following taxes:

23 (1)(A) A tax at the rate of ~~two dollars and fifty cents (\$2.50)~~
24 three dollars (\$3.00) on each gallon of spirituous liquor sold or offered for
25 sale in the State of Arkansas.

26 (B) "Spirituous liquor", as used in this section, means
27 liquor distilled from the fermented juices of grain, fruits, or vegetables
28 and any mixture containing liquor distilled from the fermented juices of
29 grain, fruits, or vegetables, with an alcoholic content of twenty-one percent
30 (21%) or more alcohol by weight;

31 (2)(A) A tax at the rate of one dollar (\$1.00) on each gallon of
32 premixed spirituous liquor sold or offered for sale in the State of Arkansas.

33 (B) "Premixed spirituous liquor", as used in this section,
34 means liquor distilled from the fermented juices of grain, fruits, or
35 vegetables, having an alcoholic content of less than twenty-one percent (21%)
36 alcohol by weight but more than five percent (5%) alcohol by weight;



1 (3)(A) A tax at the rate of fifty cents (50¢) on each gallon of
 2 light spirituous liquor sold or offered for sale in the State of Arkansas.

3 (B) "Light spirituous liquor", as used in this section,
 4 means liquor distilled from the fermented juices of grain, fruits, or
 5 vegetables and any mixture containing liquor distilled from the fermented
 6 juices of grain, fruits, or vegetables, having an alcoholic content between
 7 one-half of one percent (0.5%) and five percent (5%) alcohol by weight;

8 (4)(A) A tax at the rate of seventy-five cents (75¢) on each
 9 gallon of vinous liquor, except wines fermented and manufactured within the
 10 State of Arkansas from grapes, berries, or other fruits grown in Arkansas, as
 11 authorized by §§ 3-5-401 - 3-5-412, sold or offered for sale in the State of
 12 Arkansas.

13 (B) "Vinous liquor", as used in this section, means the
 14 fermented juices of grapes, berries, or other fruits and any other mixture
 15 containing the fermented juices of grapes, berries, or other fruits, having
 16 an alcoholic content of more than five percent (5%) alcohol by weight;

17 (5)(A) A tax at the rate of twenty-five cents (25¢) on each
 18 gallon of light wine except light wine fermented and manufactured within the
 19 State of Arkansas from grapes, berries, or other fruits grown in Arkansas, as
 20 authorized by §§ 3-5-401 - 3-5-412, sold or offered for sale in the State of
 21 Arkansas.

22 (B) "Light wine", as used in this section, means the
 23 fermented juices of grapes, berries, or fruits and any other mixture
 24 containing the fermented juices of grapes, berries, or fruits, having an
 25 alcoholic content of between one-half of one percent (0.5%) and five percent
 26 (5%) alcohol by weight;

27 (6)(A) A tax at the rate of seven dollars and fifty cents
 28 (\$7.50) per barrel of thirty-two (32) gallons, and proportionately for larger
 29 and smaller gallonages per barrel, on all beer having an alcoholic content of
 30 five percent (5%) or less by weight sold or offered for sale in the State of
 31 Arkansas.

32 (B) This tax shall be paid in the manner prescribed by §
 33 3-7-401 et seq.; and

34 (7) A tax at the rate of twenty cents (20¢) on each gallon of
 35 malt liquor sold or offered for sale in the State of Arkansas.

36 (b)(1) Effective July 1, 2003, fifty cents (50¢) of the tax rate

1 levied in (a)(1)(A) of this section shall be deemed general revenue until
2 July 1, 2005.

3 (2) Effective July 1, 2005, the tax rate levied in (a)(1)(A) of
4 this section will decrease to two dollars and fifty cents (\$2.50).

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6 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
7 General Assembly that revenues received by the state to operate state
8 government continue to decline; that vital services are in jeopardy of being
9 decreased or eliminated altogether; that it is imperative that the citizens
10 of this state receive certain services from state government; that unless and
11 until additional revenue is raised, these services cannot be maintained at an
12 adequate level; that this act is intended to produce additional revenues to
13 support those services; and that until this act becomes effective those
14 revenues will not be generated and many of the citizens of this state will
15 suffer the consequences. Therefore, an emergency is declared to exist and
16 this act being immediately necessary for the preservation of the public
17 peace, health, and safety shall become effective on:

18 (1) The date of its approval by the Governor;

19 (2) If the bill is neither approved nor vetoed by the Governor,
20 the expiration of the period of time during which the Governor may veto the
21 bill; or

22 (3) If the bill is vetoed by the Governor and the veto is
23 overridden, the date the last house overrides the veto.

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