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

A Bill

SENATE BILL   336

4
5 By: Senators Miller, Wooldridge, Glover
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For An Act To Be Entitled

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9 AN ACT TO AMEND ARKANSAS CODE § 26-51-703 TO
10 CLARIFY TAXPAYERS WHO ARE TAXABLE IN ANOTHER
11 STATE FOR THE PURPOSES OF UNIFORM DIVISION OF
12 INCOME FOR TAX PURPOSES ACT; AND FOR OTHER
13 PURPOSES.
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Subtitle

15
16 AN ACT TO CLARIFY TAXPAYERS WHO ARE
17 TAXABLE IN ANOTHER STATE FOR THE
18 PURPOSES OF ALLOCATION AND APPORTIONMENT
19 OF INCOME PURSUANT TO THE UNIFORM
20 DIVISION OF INCOME FOR TAX PURPOSES ACT.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code § 26-51-703 is amended to read as follows:
26   26-51-703. Taxpayer taxable in another state.
27   For purposes of allocation and apportionment of income under this
28 subchapter, a taxpayer is taxable in another state if:
29   (1) In that state the taxpayer is subject to a net income tax, a
30 franchise tax measured by net income, a franchise tax for the privilege of
31 doing business, or a corporate stock tax or any other tax measured by net
32 income, and the taxpayer files the requisite tax return in the other state;
33 or
34   (2) That state has jurisdiction to subject the taxpayer to a net
35 income tax regardless of whether, in fact, the state does or does not The
36 state has no net income tax, franchise tax measured by net income, or any

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1 other tax measured by net income as provided in subdivision (1) of this

2 section, and the taxpayer has activities in the other state that exceed those

3 protected by Pub. L. No. 86-272, as codified under 15 U.S.C. §§ 381-385.

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5   SECTION 2.   This act applies to tax years beginning on or after January

6 1, 2003.

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