

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
4

A Bill

Act 599 of 2003
SENATE BILL 402

5 By: Senator T. Smith
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For An Act To Be Entitled

9 AN ACT TO CLARIFY THE DEFINITION OF "SALE" FOR
10 THE PURPOSES OF GROSS RECEIPTS TAX LAW; AND FOR
11 OTHER PURPOSES.
12

Subtitle

14 TO CLARIFY THE DEFINITION OF "SALE" FOR
15 THE PURPOSES OF GROSS RECEIPTS TAX LAW.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 26-52-103(a)(3), pertaining to the
21 definition of sale for purpose of the Arkansas Gross Receipts Act of 1941, is
22 amended to add a new subdivision to read as follows:

23 (F) "Sale" shall not include the transfer of title to a
24 vehicle by the vehicle owner to an insurance company as a result of the
25 settlement of a claim for damages to the vehicle.
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27 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
28 General Assembly of the State of Arkansas that current law excludes the
29 transfer of a damaged vehicle to an insurance company from the definition of
30 "sale" for purposes of gross receipts tax; that this definition is in need of
31 clarification to ensure that the original legislative intent is fulfilled;
32 and that this act is immediately necessary to prevent possible confusion
33 among the taxpayers of Arkansas. Therefore, an emergency is declared to
34 exist and this act being immediately necessary for the preservation of the
35 public peace, health, and safety shall become effective on:

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



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

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

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8 **APPROVED: 3/24/2003**
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