	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. Act 1441 of the Regular Session
1	State of Arkansas
2	85th General Assembly A Bill
3	Regular Session, 2005HOUSE BILL2099
4	
5	By: Representative Bond
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7	
8	For An Act To Be Entitled
9	AN ACT TO FURTHER DEFINE "INSTRUCTIONAL
10	MATERIALS" THAT MAY BE EXEMPT FROM SALES TAX WHEN
11	PURCHASED BY SCHOOLS; AND FOR OTHER PURPOSES.
12	
13	Subtitle
14	AN ACT TO FURTHER DEFINE "INSTRUCTIONAL
15	MATERIALS" THAT MAY BE EXEMPT FROM SALES
16	TAX WHEN PURCHASED BY SCHOOLS.
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18	
19	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21	SECTION 1. Arkansas Code § 26-52-437 is amended to read as follows:
22	26-52-437. Textbooks and instructional materials for public schools.
23	(a) <u>(l)</u> For purposes of this section, "instructional materials"
24	includes:
25	(1)(A) Traditional books, sheet music, and trade books in
26	printed and bound form;
27	(2) (B) Activity-oriented educational programs that may
28	include manipulatives;
29	(3)(C) Hand-held calculators or other hands on educational
30	material; and;
	_
31 32 33 34 35	(4)(D) Technology-based educational materials and <u>electronic software</u> that require the use of electronic equipment in order to be used in the learning process, except for the equipment required to make use of these materials; (E) Maps, globes, art supplies, workbooks, flash cards,



2 classroom use; and 3 (F) Video tapes, DVDs, films, or cassettes containing 4 instructional information designed to be presented to students as part of a 5 course of study. 6 (2) "Instructional materials" does not include: 7 (A) Items purchased for use in: 8 (i) Interscholastic extracurricular activities; or 9 (ii) Administration or maintenance of the school; or 10 (B) Construction materials or supplies. 11 (b) Textbooks, library books, and other instructional materials shall 12 be exempt from the gross receipts tax levied by the Arkansas Gross Receipts 13 Act of 1941, § 26-52-101 et seq. if purchased by: 14 (1) An Arkansas school district or Arkansas public school that 15 receives state funding; or 16 (2) The State of Arkansas for free distribution to Arkansas 19 0 20 APPROVED: 3/31/2005 21 22 22 23 23 24 24 25 25 26 26 27 27 28	1	educational blocks, educational models, manipulatives, and charts for
4 instructional information designed to be presented to students as part of a 5 course of study. 6 (2) "Instructional materials" does not include: 7 (A) Items purchased for use in: 8 (i) Interscholastic extracurricular activities; or 9 (ii) Administration or maintenance of the school; or 10 (B) Construction materials or supplies. 11 (b) Textbooks, library books, and other instructional materials shall 12 be exempt from the gross receipts tax levied by the Arkansas Gross Receipts 13 Act of 1941, § 26-52-101 et seq. if purchased by: 14 (1) An Arkansas school district or Arkansas public school that 15 receives state funding; or 16 (2) The State of Arkansas for free distribution to Arkansas 17 APPROVED: 3/31/2005 18 APPROVED: 3/31/2005 19 APPROVED: 3/31/2005	2	classroom use; and
course of study. 6 (2) "Instructional materials" does not include: 7 (A) Items purchased for use ini 8 (i) Interscholastic extracurricular activities; or 9 (ii) Administration or maintenance of the school; or 10 (B) Construction materials or supplies. 11 (b) Textbooks, library books, and other instructional materials shall 12 be exempt from the gross receipts tax levied by the Arkansas Gross Receipts 13 Act of 1941, § 26-52-101 et seq. if purchased by: 14 (1) An Arkansas school district or Arkansas public school that 15 receives state funding; or 16 (2) The State of Arkansas for free distribution to Arkansas 17 School districts or Arkansas public schools. 18 APPROVED: 3/31/2005 21 APPROVED: 3/31/2005 22 3 23 3 24 3 25 3 26 3/31/2005 27 3 28 3 29 30	3	(F) Video tapes, DVDs, films, or cassettes containing
6 (2) "Instructional materials" does not include: 7 (A) Items purchased for use in: 8 (1) Interscholastic extracurricular activities; or 9 (11) Administration or maintenance of the school; or 10 (B) Construction materials or supplies. 11 (b) Textbooks, library books, and other instructional materials shall 12 be exempt from the gross receipts tax levied by the Arkansas Gross Receipts 13 Act of 1941, § 26-52-101 et seq. if purchased by: 14 (1) An Arkansas school district or Arkansas public school that 15 receives state funding; or 16 (2) The State of Arkansas for free distribution to Arkansas 18	4	instructional information designed to be presented to students as part of a
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8 (i) Interscholastic extracurricular activities; or 9 (ii) Administration or maintenance of the school; or 10 (B) Construction materials or supplies. 11 (b) Textbooks, library books, and other instructional materials shall 12 be exempt from the gross receipts tax levied by the Arkansas Gross Receipts 13 Act of 1941, § 26-52-101 et seq. if purchased by: 14 (1) An Arkansas school district or Arkansas public school that 15 receives state funding; or 16 (2) The State of Arkansas for free distribution to Arkansas 17 school districts or Arkansas public schools. 18	6	(2) "Instructional materials" does not include:
9 (ii) Administration or maintenance of the school; or 10 (B) Construction materials or supplies. 11 (b) Textbooks, library books, and other instructional materials shall 12 be exempt from the gross receipts tax levied by the Arkansas Gross Receipts 13 Act of 1941, § 26-52-101 et seq. if purchased by: 14 (1) An Arkansas school district or Arkansas public school that 15 receives state funding; or 16 (2) The State of Arkansas for free distribution to Arkansas 17 school districts or Arkansas public schools. 18 19 20 APPROVED: 3/31/2005 21 22 23 24 25 26 27 28 29 30	7	(A) Items purchased for use in:
(B) Construction materials or supplies. (b) Textbooks, library books, and other instructional materials shall be exempt from the gross receipts tax levied by the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq. if purchased by: (1) An Arkansas school district or Arkansas public school that receives state funding; or (2) The State of Arkansas for free distribution to Arkansas school districts or Arkansas public schools. APPROVED: 3/31/2005 Act of 1941, S Approved: 3/31/2005	8	(i) Interscholastic extracurricular activities; or
11 (b) Textbooks, library books, and other instructional materials shall 12 be exempt from the gross receipts tax levied by the Arkansas Gross Receipts 13 Act of 1941, § 26-52-101 et seq. if purchased by: 14 (1) An Arkansas school district or Arkansas public school that 15 receives state funding; or 16 (2) The State of Arkansas for free distribution to Arkansas 17 school districts or Arkansas public schools. 18 19 20 APPROVED: 3/31/2005 21 22 22 3/31/2005 23 24 24 25 25 26 26 27 28 29 30 30	9	(ii) Administration or maintenance of the school; or
be exempt from the gross receipts tax levied by the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq. if purchased by: (1) An Arkansas school district or Arkansas public school that receives state funding; or (2) The State of Arkansas for free distribution to Arkansas school districts or Arkansas public schools. APPROVED: 3/31/2005 APPROVED: 3/31/2005 APPROVED: 3/31/2005 20 20 20 21 22 23 24 25 26 27 28 29 30	10	(B) Construction materials or supplies.
Act of 1941, § 26-52-101 et seq. if purchased by: (1) An Arkansas school district or Arkansas public school that receives state funding; or (2) The State of Arkansas for free distribution to Arkansas school districts or Arkansas public schools. 8 9 20 APPROVED: 3/31/2005 21 22 23 24 25 26 27 28 30	11	(b) Textbooks, library books, and other instructional materials shall
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