

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1703

5 By: Representative Fortner
6 By: Senator B. Sample
7

For An Act To Be Entitled

9 AN ACT TO REQUIRE CASINOS TO REPORT GAMBLING WINNINGS
10 TO THE SECRETARY OF THE DEPARTMENT OF FINANCE AND
11 ADMINISTRATION; TO REQUIRE THAT CASINOS WITHHOLD
12 ARKANSAS INCOME TAX ON GAMBLING WINNINGS; AND FOR
13 OTHER PURPOSES.
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Subtitle

16 TO REQUIRE THAT CASINOS REPORT GAMBLING
17 WINNINGS TO THE SECRETARY OF THE
18 DEPARTMENT OF FINANCE AND ADMINISTRATION
19 AND WITHHOLD ARKANSAS INCOME TAX ON
20 GAMBLING WINNINGS.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code Title 26, Chapter 51, Subchapter 9, is amended
27 to add an additional section to read as follows:

28 26-51-920. Casinos – Withholding and reporting.

29 (a)(1) A casino operating under the authority of The Arkansas Casino
30 Gaming Amendment of 2018, Arkansas Constitution, Amendment 100, that is
31 required to make a return under 26 U.S.C. § 6041, as in effect on January 1,
32 2021, with respect to the payment of gambling winnings to a person shall also
33 file a report with the Secretary of the Department of Finance and
34 Administration that contains the same information and is filed in the same
35 manner as required for the return filed under 26 U.S.C. § 6041, as in effect
36 on January 1, 2021.



1 (2)(A) The report required under subdivision (a)(1) of this
2 section shall be filed electronically with the secretary on or before January
3 31 of each year for the preceding calendar year.

4 (B) The secretary shall provide a method for casinos to
5 file the report required under subdivision (a)(1) of this section
6 electronically.

7 (b)(1) A casino operating under the authority of The Arkansas Casino
8 Gaming Amendment of 2018, Arkansas Constitution, Amendment 100, and making
9 payments of gambling winnings that are subject either to withholding or
10 backup withholding under 26 U.S.C. § 3402, as in effect on January 1, 2021,
11 or 26 U.S.C. § 3406, as in effect on January 1, 2021, shall also withhold
12 Arkansas income tax on the same payments of gambling winnings.

13 (2) Arkansas income tax shall be withheld from the payment of
14 gambling winnings under subdivision (b)(1) of this section at the rate of
15 five and nine-tenths percent (5.9%) or the highest income tax rate imposed on
16 individual taxpayers under § 26-51-201, whichever is less.

17 (3)(A) The amounts withheld by a casino under this subsection
18 shall be remitted to the secretary electronically on or before the fifteenth
19 day of the month following payment of the gambling winnings by the casino.

20 (B) The secretary shall provide a method for casinos to
21 report and pay amounts withheld under this subsection to the secretary
22 electronically.

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