

**ARKANSAS SENATE**  
89th General Assembly - Regular Session, 2013  
**Amendment Form**

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**Subtitle of Senate Bill No. 334**

TO REDUCE THE SALES AND USE TAX RELATING TO THE PARTIAL REPLACEMENT AND REPAIR OF  
MACHINERY AND EQUIPMENT USED DIRECTLY IN MANUFACTURING; TO PROVIDE A REFUND  
MECHANISM FOR CERTAIN SALES AND USE TAXES; AND TO DECLARE AN EMERGENCY.

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**Amendment No. 1 to Senate Bill No. 334**

Amend Senate Bill No. 334 as originally introduced:

Page 1, line 17, delete "TO"

AND

Page 1, line 18, delete "DECLARE AN EMERGENCY;"

AND

Delete the subtitle in its entirety and substitute:

"TO REDUCE THE SALES AND USE TAX RELATING  
TO THE PARTIAL REPLACEMENT AND REPAIR OF  
MACHINERY AND EQUIPMENT USED DIRECTLY IN  
MANUFACTURING; AND TO PROVIDE A REFUND  
MECHANISM FOR CERTAIN SALES AND USE  
TAXES."

AND

Immediately following the enacting clause, insert additional sections to read as follows:

"SECTION 1. Arkansas Code § 15-4-2706(c)(4)(A), concerning a retention tax credit against Arkansas sales and use tax for qualifying businesses, is amended to read as follows:

(4)(A)(i) Upon determination by the Director of the Arkansas Economic Development Commission that the project qualifies for credit under this subsection, the Director of the Arkansas Economic Development Commission shall certify to the Director of the Department of Finance and Administration that the project qualifies and shall transmit with his or her certification the documents or copies of the documents upon which the certification was based.



(ii) The Director of the Arkansas Economic Development Commission shall not certify a project for purposes of the credit allowed under this subsection on or after January 1, 2014.

SECTION 2. Arkansas Code § 15-4-2706(c), concerning a retention tax credit against Arkansas sales and use tax for qualifying businesses, is amended to add an additional subdivision to read as follows:

(7)(A) The tax credit provided under this subsection expires on January 1, 2014.

(B) Any unused tax credits earned for a certified project before January 1, 2014, may be carried over beyond January 1, 2014, under subdivision (c)(3)(D) of this section."

AND

Page 1, line 32, delete "SECTION 1" and substitute "SECTION 3"

AND

Page 2, line 14, delete "July 1, 2013" and substitute "January 1, 2014"

AND

Page 2, line 16, delete "July 1, 2014" and substitute "January 1, 2015"

AND

Page 2, line 18, delete "July 1, 2015" and substitute "January 1, 2016"

AND

Page 2, line 20, delete "July 1, 2016" and substitute "January 1, 2017"

AND

Page 2, line 22, delete "July 1, 2017" and substitute "January 1, 2018"

AND

Page 2, line 24, delete "July 1, 2018" and substitute "January 1, 2019"

AND

Page 3, delete lines 4 through 13, and substitute the following:

"(f) To claim the benefit of the tax refund under this section, a taxpayer shall hold a direct pay sales and use tax permit from the Department of Finance and Administration and shall claim the tax refund under the direct pay permit."

AND

Page 3, delete lines 20 through 24

AND

Page 3, line 26, delete "SECTION 2" and substitute "SECTION 4"

AND

Page 4, line 8, delete "July 1, 2013" and substitute "January 1, 2014"

AND

Page 4, line 10, delete "July 1, 2014" and substitute "January 1, 2015"

AND

Page 4, line 12, delete "July 1, 2015" and substitute "January 1, 2016"

AND

Page 4, line 14, delete "July 1, 2016" and substitute "January 1, 2017"

AND

Page 4, line 16, delete "July 1, 2017" and substitute "January 1, 2018"

AND

Page 4, line 18, delete "July 1, 2018" and substitute "January 1, 2019"

AND

Page 4, delete lines 34 through 36, and substitute the following:

"(f) To claim the benefit of the tax refund under this section, a taxpayer shall hold a direct pay sales and use tax permit from the Department of Finance and Administration and shall claim the tax refund under the direct pay permit."

AND

Page 5, delete lines 1 through 7

AND

Page 5, delete lines 14 through 18

AND

Page 5, delete lines 20 through 36, and substitute the following:

"SECTION 5. EFFECTIVE DATE. This act is effective on and after January 1, 2014."

AND

Page 6, delete lines 1 through 12

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Senator Files

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Secretary