

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 87th General Assembly
3 Regular Session, 2009

A Bill

SENATE BILL 22

4
5 By: Senator Altes
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For An Act To Be Entitled

8
9 AN ACT TO CREATE THE ARKANSAS REFRIGERATED FOOD
10 CHEMICAL SECURITY TAX CREDIT PROGRAM; AND FOR
11 OTHER PURPOSES.
12

Subtitle

13
14 AN ACT TO CREATE THE ARKANSAS
15 REFRIGERATED FOOD CHEMICAL SECURITY TAX
16 CREDIT PROGRAM.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code Title 26, Chapter 51, Subchapter 5 is amended
22 to add an additional section to read as follows:

23 26-51-513. Refrigerated food chemical security tax credit.

24 (a) As used in this section:

25 (1) "Eligible refrigerated food business" means an Arkansas
26 taxpayer in the trade or business of the storage of refrigerated food
27 products;

28 (2)(A) "Qualified chemical security expenses" means the expenses
29 paid or incurred by an eligible refrigerated food business in connection with
30 security measures taken to prevent public access to anhydrous ammonia.

31 (B) "Qualified chemical security expenses" does not
32 include annual wages or benefits for security personnel or routine
33 maintenance of security equipment;

34 (3) "Refrigerated food warehouse" means any warehouse:

35 (A) Owned and operated by an eligible refrigerated food
36 business; and



1 (B) Used solely for the purpose of storing refrigerated
2 food products; and

3 (4) "Security measures" means measures taken for security
4 purposes such as perimeter fencing, increased security at facility exits and
5 entrances, security camera systems, alarm systems, computer software and
6 hardware, radio frequency identification technology, locks, and security
7 badges.

8 (b)(1) There is allowed a tax credit against the income tax imposed by
9 the Income Tax Act of 1929, § 26-51-101 et seq., in an amount equal to fifty
10 percent (50%) of the qualified chemical security expenses paid or incurred
11 for each refrigerated food warehouse in a taxable year by a taxpayer.

12 (2) The amount of tax credit under this section that may be used
13 by the taxpayer for a taxable year may not exceed:

14 (A) Five hundred thousand dollars (\$500,000) for each
15 refrigerated food warehouse; or

16 (B) Two million dollars (\$2,000,000) for an eligible
17 refrigerated food business.

18 (3)(A) A tax credit allowed under this section shall expire
19 after the tax year the tax credit was earned.

20 (B) Any unused tax credit may not be carried forward for
21 any tax year following the tax year the tax credit was earned.

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23 SECTION 2. This act shall become effective for tax years beginning on
24 and after January 1, 2010.

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