

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

As Engrossed: H2/21/11

# A Bill

HOUSE BILL 1369

5 By: Representatives Shepherd, Wright, Vines, Bell, Collins-Smith, J. Burris, Deffenbaugh, Hammer,  
6 Harris, Hickerson, Hubbard, Jean, Sanders, Steel, Stubblefield, Westerman, Woods, Wren, *D. Altes*,  
7 *Branscum, Catlett, Eubanks, Gillam, Hall, S. Malone, Mauch, G. Smith, Walker, Williams*  
8 By: Senators G. Jeffress, *S. Harrelson, J. Hutchinson*  
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## For An Act To Be Entitled

11 AN ACT TO CREATE A SALES TAX HOLIDAY FOR CLOTHING,  
12 CLOTHING ACCESSORIES OR EQUIPMENT, SCHOOL SUPPLIES,  
13 SCHOOL ART SUPPLIES, AND SCHOOL INSTRUCTIONAL  
14 MATERIAL; AND FOR OTHER PURPOSES.  
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## Subtitle

18 TO CREATE A SALES TAX HOLIDAY FOR  
19 CLOTHING, CLOTHING ACCESSORIES OR  
20 EQUIPMENT, SCHOOL SUPPLIES, SCHOOL ART  
21 SUPPLIES, AND SCHOOL INSTRUCTIONAL  
22 MATERIAL  
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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27 SECTION 1. Arkansas Code Title 26, Chapter 52, Subchapter 4 is amended  
28 to add an additional section to read as follows:

29 26-52-444. Sales tax holiday.

30 (a) As used in this section:

31 (1) "Clothing" means an item of human wearing apparel suitable  
32 for general use for which the gross receipts or gross proceeds paid for the  
33 item of clothing is less than one hundred dollars (\$100);

34 (2) "Clothing accessory or equipment" means an incidental item  
35 worn on the person or in conjunction with clothing for which the gross  
36 receipts or gross proceeds paid for the item of clothing accessory or



1 equipment is less than fifty dollars (\$50);

2 (3) "School art supply" means an item commonly used by a student  
3 in a course of study for artwork;

4 (4) "School instructional material" means written material  
5 commonly used by a student in a course of study as a reference and to learn  
6 the subject being taught; and

7 (5) "School supply" means an item commonly used by a student in  
8 a course of study.

9 (b) The gross receipts or gross proceeds derived from the sale of the  
10 following items are exempt from the gross receipts tax levied by the Arkansas  
11 Gross Receipts Act of 1941, § 26-52-101 et seq., and the compensating use tax  
12 levied by the Arkansas Compensating Tax Act of 1949, § 26-53-101 et seq.,  
13 every year from 12:01 a.m. on the first Saturday in August and ending at  
14 11:59 p.m. the following Sunday:

15 (1) Clothing;

16 (2) Clothing accessory or equipment;

17 (3) School art supply;

18 (4) School instructional material; and

19 (5) School supply.

20 (c) The Department of Finance and Administration shall promulgate  
21 rules to implement this section.

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23 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
24 General Assembly of the State of Arkansas that clothing school children and  
25 buying school supplies is very costly; that the cost of these items is always  
26 increasing; that to help defray the cost of purchasing these items, a sales  
27 tax holiday is necessary; and that this act is immediately necessary to  
28 ensure that families are able to enjoy this exemption when purchasing school  
29 clothes and supplies for school. Therefore, an emergency is declared to exist  
30 and this act being immediately necessary for the preservation of the public  
31 peace, health, and safety shall become effective on:

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

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

36 (3) If the bill is vetoed by the Governor and the veto is

1 overridden, the date the last house overrides the veto.

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*/s/Shepherd*

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