

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

As Engrossed: H2/10/21

A Bill

HOUSE BILL 1374

5 By: Representatives A. Collins, Jett
6 *By: Senator J. Dismang*
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING WHEN CERTAIN SALES
10 BY CHARITABLE ORGANIZATIONS ARE EXEMPT FROM SALES AND
11 USE TAX; TO AMEND THE CRITERIA TO DETERMINE WHEN A
12 SALE BY A CHARITABLE ORGANIZATION COMPETES WITH A
13 SALE BY A FOR-PROFIT BUSINESS; AND FOR OTHER
14 PURPOSES.
15

Subtitle

16
17
18 TO AMEND THE LAW CONCERNING WHICH SALES
19 BY CHARITABLE ORGANIZATIONS ARE EXEMPT
20 FROM SALES AND USE TAX; AND TO AMEND THE
21 CRITERIA TO DETERMINE WHEN A SALE BY A
22 CHARITABLE ORGANIZATION COMPETES WITH A
23 SALE BY A FOR-PROFIT BUSINESS.
24

25
26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
27

28 SECTION 1. Arkansas Code § 26-52-430(b), concerning the exemption from
29 sales and use tax for the sale of certain property by charitable
30 organizations, is amended to read as follows:

31 (b) A sale by a charitable organization does not compete with a sale
32 by a for-profit business if:

33 (1) The sales transaction is conducted by a member of the
34 charitable organization and not by a franchisee or licensee;

35 (2) All the proceeds derived from the sales transaction go to
36 the charitable organization; and



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

(3) The sales transaction is not a:
(A) A continuing one and; or
(B) is held not Held more than ~~three (3)~~ ten (10) times a
year.

/s/A. Collins