

Department of Finance and Administration

Legislative Impact Statement

Bill: SB212

Bill Subtitle: TO INCLUDE THE ARKANSAS REAL ESTATE COMMISSION WITHIN THE DEFINITION OF CLAIMANT AGENCY FOR THE PURPOSE OF OBTAINING A SETOFF AGAINST STATE TAX REFUNDS FOR DEBTS OWED TO THE STATE.

Basic Change :

Senator Files, Rep. Biviano

Adds the Arkansas Real Estate Commission as a claimant agency for the purpose of obtaining a setoff against state tax refunds.

Revenue Impact :

None

Taxpayer Impact :

Taxpayers who owe a debt to the Arkansas Real Estate Commission and have a verified claim for a state tax refund, may have their refund setoff to pay the debt to the Arkansas Real Estate Commission.

Resources Required :

None

Time Required :

Sufficient time is provided.

Procedural Changes :

Computer system, forms and booklet must be updated. Staff, tax community and claimant agency must be educated.

Other Comments :

None

Legal Analysis :

This bill amends current law to add the Arkansas Real Estate Commission to the list of agencies who are allowed to collect debts owed to the agency through a setoff of a state individual income tax refunds due to an individual. The Commission becomes the fifteenth entity in the list of allowed claimant agencies entitled to setoff. Each claimant agency is required to follow the current statutory process to ensure that due process and other rights are afforded to the taxpayer whose refund is paid to the claimant agency. The effective date will be 90 days following adjournment.