

2 State of Arkansas
3 91st General Assembly
4 Third Extraordinary Session, 2018

A Bill

GRE/GRE
HOUSE BILL

5
6 By: Representative Rye

7 Filed with: Arkansas Legislative Council
8 pursuant to A.C.A. §10-3-217.

9 For An Act To Be Entitled

10 AN ACT TO AMEND THE DISPOSITION OF SALES AND USE TAX
11 REVENUES; TO DESIGNATE A PORTION OF THE REVENUES
12 DERIVED FROM THE TAXES COLLECTED ON THE SALE OF NEW
13 AND USED MOTOR VEHICLES, TRAILERS, OR SEMITRAILERS AS
14 SPECIAL REVENUES TO BE DISTRIBUTED UNDER THE ARKANSAS
15 HIGHWAY REVENUE DISTRIBUTION LAW; TO CLARIFY THAT THE
16 REVENUES DERIVED FROM THE TAXES COLLECTED ON SELLERS
17 THAT DO NOT HAVE A PHYSICAL PRESENCE IN THE STATE ARE
18 GENERAL REVENUES; AND FOR OTHER PURPOSES.

21 Subtitle

22 TO DESIGNATE THE REVENUES DERIVED FROM
23 TAXES COLLECTED ON THE SALES OF NEW AND
24 USED MOTOR VEHICLES AS SPECIAL REVENUES;
25 AND TO CLARIFY THAT THE REVENUES DERIVED
26 FROM THE TAXES COLLECTED FROM REMOTE
27 SELLERS ARE GENERAL REVENUES.

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30 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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32 SECTION 1. Arkansas Code § 19-6-301, concerning the enumeration of
33 special revenues, is amended to add an additional subdivision to read as
34 follows:

35 (263) The first one hundred fifty million dollars (\$150,000,000)
36 of the taxes, interest, penalties, and costs received under § 26-52-107 on

1 the sale of a new or used motor vehicle, trailer, or semitrailer required to
2 be licensed in this state.

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4 SECTION 2. Arkansas Code § 26-52-107 is amended to read as follows:
5 26-52-107. Disposition of taxes, interest, and penalties.

6 (a) All Except as provided in subdivision (b)(1) of this section:

7 (1) The taxes, interest, penalties, and costs received by the
8 Director of the Department of Finance and Administration under the provisions
9 of this chapter and the Arkansas Compensating Tax Act of 1949, § 26-53-101 et
10 seq., shall be are general revenues and shall be deposited into the State
11 Treasury to the credit of the State Apportionment Fund; and

12 (2) The Treasurer of State shall allocate and transfer the same
13 taxes, interest, penalties, and costs received by the director to the various
14 State Treasury funds participating in general revenues in the respective
15 proportions to each as provided by, and to be used for the respective
16 purposes set forth stated in, the Revenue Stabilization Law, § 19-5-101 et
17 seq.

18 (b) After making the deductions required under § 19-5-202(b)(2)(B)(i),
19 the taxes, interest, penalties, and costs received by the director under this
20 chapter and the Arkansas Compensating Tax Act of 1949, § 26-53-101 et seq.,
21 on the sale of a new or used motor vehicle, trailer, or semitrailer required
22 to be licensed in this state shall be distributed as follows:

23 (1) The first one hundred fifty million dollars (\$150,000,000)
24 are special revenues and shall be distributed under the Arkansas Highway
25 Revenue Distribution Law, § 27-70-201 et seq.; and

26 (2) Any remaining taxes, interest, penalties, and costs are
27 general revenues and shall be deposited into the State Treasury to the credit
28 of the State Apportionment Fund.

29 (c) All taxes, interest, penalties, and costs received by the director
30 under this chapter and the Arkansas Compensating Tax Act of 1949, § 26-53-101
31 et seq., from sellers that do not have a physical presence in the state are
32 general revenues and shall be deposited into the State Treasury to the credit
33 of the State Apportionment Fund.

1 Referred by Representative Rye

2 Prepared by: GRE/GRE

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