

INTERIM STUDY PROPOSAL 2009-222

1
2 State of Arkansas
3 87th General Assembly
4 First Extraordinary Session, 2010

A Bill

Call Item ##
MMC/CDS
SENATE BILL

5
6 By: Senator Altes

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8 Filed with: Senate Committee on Revenue and Taxation
9 pursuant to A.C.A. §10-3-217.

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11 **For An Act To Be Entitled**

12 AN ACT TO EXEMPT FROM SALES AND USE TAX THE
13 RETAIL SALE OF RENEWABLE RESOURCE EQUIPMENT; AND
14 FOR OTHER PURPOSES.

15
16 **Subtitle**

17 TO EXEMPT FROM SALES AND USE TAX THE
18 RETAIL SALE OF RENEWABLE RESOURCE
19 EQUIPMENT.

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

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24 SECTION 1. Arkansas Code Title 26, Chapter 52, Subchapter 4 is amended
25 to add an additional section to read as follows:

26 26-52-442. Renewable resource equipment.

27 (a) As used in this section:

28 (1) "Biomass" means waste plant and animal matter but does not
29 include a fossil fuel;

30 (2) "Renewable resource" means a solar resource, a wind
31 resource, a geothermal resource, a biomass resource, a waste heat recovery
32 resource, a water resource, or a waste water resource; and

33 (3) "Renewable resource equipment" means a system, component of
34 a system, mechanism or series of mechanisms, support service, or a
35 combination of these items that use a renewable resource as a source of
36 energy or that offset or replace the consumption of a traditional energy

1 source, including without limitation, electricity or natural gas.

2 (b) The gross receipts or gross proceeds derived from the retail sale
3 of renewable resource equipment are exempt from the gross receipts tax levied
4 by the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq., and the
5 compensating use tax levied by the Arkansas Compensating Tax Act of 1949, §
6 26-53-101 et seq.

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

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10 SECTION 2. Effective date. Section 1 of this act is effective on the
11 first day of the calendar quarter following the effective date of this act.
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36 Filed Date: 02/05/2010 By: MMC\CDS