

INTERIM STUDY PROPOSAL 2009-230

State of Arkansas
87th General Assembly
First Extraordinary Session, 2010

A Bill

Call Item ##
MAG/CDS
SENATE BILL

By: Senator Altes

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

For An Act To Be Entitled

AN ACT TO CREATE THE ARKANSAS REFRIGERATED FOOD
CHEMICAL SECURITY TAX CREDIT PROGRAM; AND FOR
OTHER PURPOSES.

Subtitle

AN ACT TO CREATE THE ARKANSAS
REFRIGERATED FOOD CHEMICAL SECURITY TAX
CREDIT PROGRAM.

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

SECTION 1. Arkansas Code Title 26, Chapter 51, Subchapter 5 is amended
to add an additional section to read as follows:

26-51-513. Refrigerated food chemical security tax credit.

(a) As used in this section:

(1) "Eligible refrigerated food business" means an Arkansas
taxpayer in the trade or business of the storage of refrigerated food
products;

(2)(A) "Qualified chemical security expenses" means the expenses
paid or incurred by an eligible refrigerated food business in connection with
security measures taken to prevent public access to anhydrous ammonia.

(B) "Qualified chemical security expenses" does not
include annual wages or benefits for security personnel or routine
maintenance of security equipment;

1 (3) "Refrigerated food warehouse" means any warehouse:

2 (A) Owned and operated by an eligible refrigerated food
3 business; and

4 (B) Used solely for the purpose of storing refrigerated
5 food products; and

6 (4) "Security measures" means measures taken for security
7 purposes such as perimeter fencing, increased security at facility exits and
8 entrances, security camera systems, alarm systems, computer software and
9 hardware, radio frequency identification technology, locks, and security
10 badges.

11 (b)(1) There is allowed a tax credit against the income tax imposed by
12 the Income Tax Act of 1929, § 26-51-101 et seq., in an amount equal to fifty
13 percent (50%) of the qualified chemical security expenses paid or incurred
14 for each refrigerated food warehouse in a taxable year by a taxpayer.

15 (2) The amount of tax credit under this section that may be used
16 by the taxpayer for a taxable year may not exceed:

17 (A) Five hundred thousand dollars (\$500,000) for each
18 refrigerated food warehouse; or

19 (B) Two million dollars (\$2,000,000) for an eligible
20 refrigerated food business.

21 (3)(A) A tax credit allowed under this section shall expire
22 after the tax year the tax credit was earned.

23 (B) Any unused tax credit may not be carried forward for
24 any tax year following the tax year the tax credit was earned.

25
26 SECTION 2. This act shall become effective for tax years beginning on
27 and after January 1, 2010.