

2 State of Arkansas
3 90th General Assembly
4 Regular Session, 2015

A Bill

HOUSE BILL 1451

5
6 By: Representatives C. Douglas, Jett, Payton, Boyd

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 DEFINITIONS USED FOR PURPOSES OF
11 SALES AND USE TAXES; TO EXCLUDE MANUFACTURER REBATES
12 ON MOTOR VEHICLES FROM THE DEFINITIONS USED FOR
13 PURPOSES OF DETERMINING SALES AND USE TAXES; AND FOR
14 OTHER PURPOSES.

16 Subtitle

17 TO EXCLUDE MANUFACTURER REBATES ON MOTOR
18 VEHICLES FROM THE DEFINITIONS USED FOR
19 PURPOSES OF DETERMINING SALES AND USE
20 TAXES.
21

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

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26 SECTION 1. Arkansas Code § 26-52-103(13)(B), concerning the definition
27 of "gross receipts", "gross proceeds", or "sales price" under the Arkansas
28 Gross Receipts Act of 1941, is amended to read as follows:

29 (B) "Gross receipts", "gross proceeds", or "sales price"
30 does not include:

31 (i) A discount including cash, term, or a coupon
32 that is not reimbursed by a third party and that is allowed by a seller and
33 taken by a purchaser on a sale;

34 (ii) Interest, financing, or a carrying charge from
35 credit extended on the sale of tangible personal property or services, if the

1 amount is separately stated on the invoice, bill of sale, or similar document
2 given to the purchaser; ~~and~~

3 (iii) Any tax legally imposed directly on the
4 consumer that is separately stated on the invoice, bill of sale, or similar
5 document given to the purchaser; and

6 (iv) A manufacturer's rebate on a motor vehicle;
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8 SECTION 2. Arkansas Code § 26-53-102(13)(B), concerning the definition
9 of "sales price" or "purchase price" under the Arkansas Compensating Tax Act
10 of 1949, is amended to read as follows:

11 (B) "Sales price" or "purchase price" shall not include:

12 (i) A discount, including cash, term, or a coupon
13 that is not reimbursed by a third party and that is allowed by a seller and
14 taken by a purchaser on a sale;

15 (ii) Interest, financing, and carrying charges from
16 credit extended on the sale of tangible personal property or services if the
17 amount is separately stated on the invoice, bill of sale, or similar document
18 given to the purchaser; ~~and~~

19 (iii) Any tax legally imposed directly on the
20 consumer that is separately stated on the invoice, bill of sale, or similar
21 document given to the purchaser; and

22 (iv) A manufacturer's rebate on a motor vehicle;
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24 SECTION 3. EFFECTIVE DATE. Sections 1 and 2 of this act are effective
25 on the first day of the calendar quarter following the effective date of this
26 act.
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29 Referral requested by: Representative Charlotte V. Douglas

30 Prepared by: VJF
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