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2 State of Arkansas
3 89th General Assembly
4 Regular Session, 2013

A Bill

DRAFT JLL/LNS
HOUSE BILL

5
6 By: Representative D. Altes

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

For An Act To Be Entitled

9
10 AN ACT TO EXEMPT FROM SALES AND USE TAX THE RETAIL
11 SALE OF RENEWABLE RESOURCE EQUIPMENT; AND FOR OTHER
12 PURPOSES.

Subtitle

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15 TO EXEMPT FROM SALES AND USE TAX THE
16 RETAIL SALE OF RENEWABLE RESOURCE
17 EQUIPMENT.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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

25 26-52-446. Renewable resource equipment.

26 (a) As used in this section:

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

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

32 (3) "Renewable resource equipment" means a system, component of
33 a system, mechanism or series of mechanisms, support service, or a
34 combination of these items that uses a renewable resource as a source of
35 energy or that offsets or replaces the consumption of a traditional energy
36 source, including without limitation electricity or natural gas.

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

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

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9 SECTION 2. EFFECTIVE DATE. Section 1 of this act is effective on the
10 first day of the calendar quarter following the effective date of this act.

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35 Referral requested by: Representative Denny Altus

36 Prepared by: JLL/LNS