

Casino Gaming Rule 6.030 Amendment Summary

This proposed amendment specifies where the funds collected for license fees, renewal fees and other types of fees charged by the Commission are handled and states the fees charged must be placed in the Arkansas Racing Commission Cash Fund to be used for the regulation of casino gaming and horse racing.

**Casino Gaming Rule 6.030 Mark Up**

**6.030 Procedure for reporting, using, and paying gaming taxes and fees.**

(a) Licensees conducting casino gambling under the Amendment shall pay the net gaming receipts tax:

- (i) 13% on the first \$150,000,000 of net casino gaming receipts or any part thereof;
- (ii) 20% on net casino gaming receipts exceeding \$150,000,001 or any part thereof;

(b) The net gaming receipts tax shall be reported under oath and paid on a monthly basis on or before the twentieth day of each month to the Director of the Department of Finance and Administration. Reporting forms will be prescribed and furnished by the Director and shall show the total net gaming receipts from casino gaming during the preceding calendar month.

(c) The net gaming receipts tax levied by this section is in lieu of any state or local gross receipts, sales, or other similar taxes, and to this end the Arkansas Gross Receipts Tax Act of 1941, § 26-52-101 et seq., shall not be applicable to gross receipts derived by Licensees from casino gaming.

(d) The net gaming casino receipts tax payable to the Director of the Department of Finance and Administration under subdivision (a)(i) of this section shall be administered by the Director pursuant to the Arkansas Tax Procedure Act, § 26-18-101 et seq. However, regulatory authority over licensing and other matters under these regulations not relating to the administration, payment, and collection of the net gaming receipts tax shall remain with the Arkansas Racing Commission.

(e) In accordance with Arkansas law, all net gaming receipts tax received by the Director of the DF&A required by these rules and the Amendment shall be deposited with the State Treasurer.

~~(f) All permit or license fees, penalties, and fines received by the Commission under these regulations shall be deposited in the State Treasury as general revenues.~~

(f) Effective for licensure years beginning on or after January 1, 2022, the Commission shall deposit all license fees and license renewal fees of any type imposed under the Casino Gaming Rules in the Arkansas Racing Commission Cash Fund, except the following, which shall be deposited into the State Treasury as general revenue:

- (i) The initial application fee imposed by Casino Gaming Rule 2.13(8);
- (ii) The ten-year renewal fee imposed by Casino Gaming Rule 2.13(13); and

(iii) Any fines or penalties imposed by the Commission.

(g) Effective for licensure years beginning on or after January 1, 2022, if the Commission collects investigative fees and costs, those fees and costs shall be deposited in the fund that incurred the cost of the investigation.

(h) All fees and costs deposited in the Arkansas Racing Commission Cash Fund shall be used by the Commission in its discretion for the regulation of casino gaming or racing in the State of Arkansas or any other activity over which it has authority.