## **EXHIBIT D4**

| 1  | INTERIM STUDY PROPOSAL 2023-022   |
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| 2  | State of Arkansas As Engrossed: H2/15/23 H3/16/23   |
| 3  | 94th General Assembly A B1II  |
| 4  | Regular Session, 2023 HOUSE BILL 1046   |
| 5  |   |
| 6  | By: Representatives Ray, John Carr, J. Mayberry, Achor, Beaty Jr., M. Brown, Ennett, Gramlich, Hudson |
| 7  | Maddox, McCollum  |
| 8  | Filed with: House Committee on Revenue and Taxation   |
| 9  | pursuant to A.C.A. §10-3-217  |
| 10 | For An Act To Be Entitled   |
| 11 | AN ACT TO AMEND THE LAW GOVERNING STATE SALES AND USE   |
| 12 | TAXES; TO EXEMPT FROM SALES AND USE TAXES CERTAIN   |
| 13 | PURCHASES OF A WHEELCHAIR-ACCESSIBLE MOTOR VEHICLE;   |
| 14 | TO EXEMPT FROM SALES AND USE TAXES THE PURCHASE OF  |
| 15 | SERVICES TO RENDER A MOTOR VEHICLE WHEELCHAIR   |
| 16 | ACCESSIBLE; AND FOR OTHER PURPOSES.   |
| 17 |   |
| 18 |   |
| 19 | Subtitle  |
| 20 | TO AMEND THE LAW GOVERNING STATE SALES  |
| 21 | AND USE TAXES REGARDING WHEELCHAIR-   |
| 22 | ACCESSIBLE MOTOR VEHICLES.  |
| 23 |   |
| 24 |   |
| 25 | BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:                                       |
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| 27 | SECTION 1. Arkansas Code Title 26, Chapter 52, Subchapter 4, is                                       |
| 28 | amended to add an additional section to read as follows:  |
| 29 | <u>26-52-455. Wheelchair-accessible motor vehicle — Definitions.</u>                                  |
| 30 | (a) As used in this section:  |
| 31 | (1) "Aftermarket wheelchair accommodation services" means the   |
| 32 | service of modifying a new or used motor vehicle to carry a person and a                              |
| 33 | wheelchair simultaneously; and  |
| 34 | (2) "Wheelchair-accessible motor vehicle" means a motor vehicle                                       |
| 35 | that has been modified to permit a person to enter or exit the motor vehicle                          |
| 36 | while in a wheelchair.  |

| 1  | (b) The gross proceeds or gross receipts are exempt from the gross           |
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| 2  | receipts tax levied by this chapter and the compensating use tax levied by   |
| 3  | the Arkansas Compensating Tax Act of 1949, § 26-53-101 et seq., for the sale |
| 4  | of:  |
| 5  | (1) A new or used wheelchair-accessible motor vehicle; and                   |
| 6  | (2) Aftermarket wheelchair accommodation services.                           |
| 7  | (c) The Department of Finance and Administration may adopt rules to          |
| 8  | carry out the provisions of this section.                                    |
| 9  |  |
| 10 | SECTION 2. EFFECTIVE DATE. Section 1 of this act is effective on the         |
| 11 | first day of the second calendar month following the effective date of this  |
| 12 | act.   |
| 13 |  |
| 14 | SECTION 3. DO NOT CODIFY. Rules.   |
| 15 | (a) When adopting the initial rules under this act, the Department of        |
| 16 | Finance and Administration shall file the final rules with the Secretary of  |
| 17 | State for adoption under § 25-15-204(f):                                     |
| 18 | (1) On or before January 1, 2024; or   |
| 19 | (2) If approval under § 10-3-309 has not occurred by January 1,              |
| 20 | 2024, as soon as practicable after approval under § 10-3-309.                |
| 21 | (b) The department shall file the proposed rules with the Legislative        |
| 22 | Council under § 10-3-309(c) sufficiently in advance of January 1, 2024, so   |
| 23 | that the Legislative Council may consider the rules for approval before      |
| 24 | January 1, 2024.   |
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| 26 | /s/Ray   |
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| 29 | Referred requested by the Arkansas House of Representatives                  |
| 30 | Prepared by: JLL/SJA   |
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