

State of Arkansas  
76th General Assembly  
Regular Session, 1987  
By: Senator Gordon

SENATE BILL 25

"AN ACT TO AMEND SECTION 3 OF ACT 252 OF 1951, AS AMENDED [ARK. STAT. 48-411]; TO RAISE THE ALCOHOLIC BEVERAGE EXCISE TAX ON LIQUOR AND WINE FROM THREE PERCENT TO FIVE PERCENT AND IMPOSE A NEW ALCOHOLIC BEVERAGE EXCISE TAX OF TWO PERCENT ON BEER; TO PROVIDE THAT COLLECTING 'WET' COUNTIES RECEIVE A PERCENTAGE OF THIS ADDITIONAL REVENUE; AND FOR OTHER PURPOSES."

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

SECTION 1. Section 3 of Act 252 of 1951, as amended, the same being Arkansas Statute 48-411, is hereby amended to read as follows:

"Section 3. (a) There is hereby levied a special Alcoholic Beverage Excise Tax of three percent (3%) upon all retail receipts or proceeds derived from the sale of liquor, cordials, liqueurs, specialities, sparkling and still wines. Such tax shall be and is in addition to all other taxes now imposed and cumulative to The Arkansas Gross Receipts Act of 1941, as amended.

(b) It shall be the duty of every retailer in this State to collect such tax from the consumer in addition to the established retail price of liquor, cordials, liqueurs, specialties, sparkling and still wines, and to file a return and remittance with the Commissioner of Revenues on or before the 20th day of each calendar month for the preceding month. Failure to file return and remittance on the due date shall be cause for the Commissioner of Revenues to enter an assessment for same, and add as a penalty ten percent (10%) of the amount of tax found to be due. Returns shall be filed upon forms prescribed by the Commissioner of Revenues in accordance with such regulations as he may promulgate hereunder.

(c) All taxes, interest, penalties and costs received by the Commissioner under the provisions of this Act, and former shall be 'general

revenues' and shall be deposited in the State Treasury to the credit of the State Apportionment Fund; and the State Treasurer shall allocate and transfer the same to the various State Treasury funds participating in 'general revenues' in the respective proportions to each as provided by and to be used for the respective purposes set forth in, the Revenue Stabilization Law of Arkansas.

(d) In addition to the special Alcoholic Beverage Excise Tax of three percent (3%), there is hereby levied an additional special excise tax of two percent (2%) upon all retail receipts or proceeds derived from the sale of liquor, cordials, liqueurs, specialities, sparkling and still wines. Such tax shall be and is in addition to all other taxes now imposed and cumulative to the Arkansas Gross Receipts Act of 1941, as amended.

(e) The new revenues generated by the additional two percent (2%) excise tax shall be divided as follows:

(i) Fifty percent (50%) shall be divided among 'wet' counties according to revenues collected.

(ii) Fifty percent (50%) shall be divided among all counties according to the proportion of state population in each county.

(f) In addition to the special Alcoholic Beverage Excise Tax upon retail receipts or proceeds derived from the sale of liquor, cordials, liqueurs, specialties, sparkling and still wines, as described in subsections (a) and (d) of this Section of this Act, there is hereby levied a special Alcoholic Beverage Excise Tax of two percent (2%) upon all retail receipts or proceeds derived from the sale of beer. 'Beer' means any fermented liquor made from malt or any substitute therefor and having an alcoholic content of not in excess of five percent (5%) by weight.

(g) It shall be the duty of every retailer in this State to collect such tax from the consumer in addition to the established retail price of beer, and to file a return and remittance with the Commissioner of Revenues on or before the 20th day of each calendar month for the preceding month. Failure to file return and remittance on the due date shall be cause for the Commissioner of Revenues to enter an assessment for same, and add as a penalty ten percent (10%) of the amount of tax found to be due. Returns shall be filed upon forms prescribed by the Commissioner of Revenues in accordance with such regulations as he may promulgate hereunder.

(h) All taxes, interest, penalties and costs received by the

Commissioner under this two percent (2%) excise tax upon all retail receipts or proceeds derived from the sale of beer shall be divided as follows:

(i) Fifty percent (50%) shall be divided among 'wet' counties according to revenues collected.

(ii) Fifty percent (50%) shall be divided among all counties according to the proportion of state population in each county."

SECTION 2. All laws and parts of laws in conflict with this Act are hereby repealed.

