

State of Arkansas

76th General Assembly

Regular Session, 1987

SENATE BILL 48

By: Senator Miles           As engrossed 3-23-87

"AN ACT TO AMEND THE STATE USE TAX LAW TO EXEMPT MACHINERY AND EQUIPMENT REQUIRED BY THE STATE OR FEDERAL GOVERNMENT TO BE INSTALLED BY CITIES OR TOWNS IN ORDER TO PREVENT OR REDUCE WATER OR AIR POLLUTION; AND FOR OTHER PURPOSES."

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

SECTION 1. Subsection (d) of subsection (2) of subsection (D) of Section 6 of Act 487 of 1949, as amended, the same being Arkansas Statute 84-3106(D)(2)(d), is hereby amended to read as follows:

"(d) Machinery and equipment required by State or Federal law or regulations to be installed and utilized by manufacturing or processing plants or facilities or cities or towns in this State to prevent or reduce air and/or water pollution or contamination which might otherwise result from the operation of such plants or facility or city or town."

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 All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 3. Emergency. It is hereby found and determined by the General Assembly that under present law manufacturing and processing plants are exempt from paying the use tax on machinery and equipment required by law to be installed to prevent or reduce air or water pollution; that the exemption apparently does not apply to cities or towns; that some cities are under government order to install such machinery and equipment; that cities should be extended the exemption to the same extent manufacturing and processing facilities enjoy the exemption; that until the exemption becomes effective, some cities will suffer extra financial hardships; and that this Act will immediately implement such exemption. Therefore, an emergency is hereby

declared to exist and this Act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

/s/ Miles

