

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

SENATE BILL

367

By: Senator Kinard

For An Act To Be Entitled

"AN ACT TO AMEND SECTION 26-51-607 OF THE ARKANSAS CODE OF 1987 ANNOTATED TO CHANGE THE HOUSEHOLD INCOME THRESHOLD AND CASH REBATE UNDER THE HOMESTEAD PROPERTY TAX RELIEF ACT; AND FOR OTHER PURPOSES."

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

SECTION 1. Section 26-51-607 of the Arkansas Code of 1987 Annotated is hereby amended to read as follows:

"26-51-607. Allowable tax credit or cash rebate - Maximum.

(a) The amount of any cash rebate allowed or made pursuant to the provisions of this subchapter shall be determined as follows:

(1) If the household income of the claimant's household was seven thousand dollars (\$7,000) or less during the income year, the claimant shall be entitled to file a claim for an amount equal to the ad valorem taxes paid on the claimant's homestead; however, the maximum rebate any claimant may receive under this subdivision shall be three hundred dollars (\$300);

(2) If the household income of the claimant's household is more than seven thousand dollars (\$7,000) but not more than eight thousand dollars (\$8,000) for the income year, the claimant shall be entitled to file a claim for an amount equal to the ad valorem taxes paid on the claimant's homestead; however, the maximum rebate any claimant may receive under this subdivision shall be two hundred fifty dollars (\$250);

(3) If the household income of the claimant's household is more than eight thousand dollars (\$8,000) but not more than nine thousand dollars (\$9,000) for the income year, the claimant shall be entitled to file a claim for an amount equal to the ad valorem taxes paid on the claimant's homestead; however, the maximum rebate any claimant may receive under this subdivision shall be two hundred dollars (\$200);

(4) If the household income of the claimant's household is more than nine thousand dollars (\$9,000) but not more than ten thousand dollars (\$10,000) for the income year, the claimant shall be entitled to file a claim for an amount equal to the ad valorem taxes paid on the claimant's homestead; however, the maximum rebate any claimant may receive under this subdivision shall be one hundred fifty dollars (\$150);

(5) If the household income of the claimant's household is more than ten thousand dollars (\$10,000) but not more than eleven thousand dollars (\$11,000) for the income year, the claimant shall be entitled to file a claim for an amount equal to the ad valorem taxes paid on the claimant's homestead; however, the maximum rebate any claimant may receive under this subdivision shall be one hundred twenty-five dollars (\$125);

(6) If the household income of the claimant's household is more than eleven thousand dollars (\$11,000) but not more than twelve thousand dollars (\$12,000) for the income year, the claimant shall be entitled to file a claim for an amount equal to the ad valorem taxes paid on the claimant's homestead; however, the maximum rebate any claimant may receive under this subdivision shall be one hundred dollars (\$100);

(7) If the household income of the claimant's household is more than twelve thousand dollars (\$12,000) but not more than fifteen thousand dollars (\$15,000) for the income year, the claimant shall be entitled to file a claim for an amount equal to the ad valorem taxes paid on the claimant's homestead; however, the maximum rebate any claimant may receive under this subdivision shall be seventy-five dollars (\$75).

(b) The rebate shall be paid to the claimant as a cash rebate. However, no interest shall be allowed on any payment made to a claimant under the provisions of this subchapter.

(c) If a claimant or another member of the household has any outstanding tax liability to the state of Arkansas, the amount of any claim otherwise payable under this subchapter, or such portion thereof as is necessary, shall be applied to the payment of the outstanding tax liability."

SECTION 2. The provisions contained in this act shall be effective for income years beginning on and after January 1, 1989.

SECTION 3. All provisions of this Act of a general and permanent nature

are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 4. EMERGENCY. It is hereby found and determined by the General Assembly that senior citizens bear a disproportionate share of the state tax burden; that this act reduces these inequities; that unless this act becomes effective immediately upon passage irreparable harm will occur to senior citizen taxpayers of this state and to the overall equity of the Arkansas tax system; and that this act should become effective immediately upon passage. Therefore, an emergency is hereby declared to exist and this Act being 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.