

1 **State of Arkansas**

2 **79th General Assembly**

3 **Regular Session, 1993**

4 **By: Senator Bradford, *Hoofman and Edwards***

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 26-53-106; AND FOR OTHER

9 PURPOSES."

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Subtitle

12 "TO AMEND ARKANSAS CODE 26-53-106."

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

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16 SECTION 1: Arkansas Code 26-53-106 is amended to add subsection (e) to
17 read as follows:

18 "(e) Provided, however, that the tax levied in this act shall not apply
19 to aircraft, aircraft equipment, and railroad parts, cars, and equipment, or
20 to tangible personal property owned or leased by aircraft, airmotive or
21 railroad companies brought into the state of Arkansas solely and exclusively
22 for (i) refurbishing, conversion or modification within this state and is not
23 used or intended for use in this state, and the presence of such tangible
24 personal property within this state shall not be construed as storage, use, or
25 consumption in this state for the purpose of this act, if such aircraft,
26 aircraft equipment, and railroad parts, cars, and equipment, or tangible
27 personal property is removed from this state within sixty (60) days from the
28 date of the completion of such refurbishing, conversion, or modification, or
29 (ii) storage for use outside or inside the state of Arkansas regardless of the
30 length of time any such property is so stored in the state of Arkansas. If
31 any such property is subsequently initially used in the state of Arkansas, the
32 tax levied by this act shall be and become applicable to the property so used
33 in Arkansas. Provided, further, that nothing in this subsection is intended
34 to exempt from taxation any materials used or services furnished in the
35 refurbishing, conversion, or modification of such property in this state which

1 is subject to the Arkansas Gross Receipts Tax."

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3 SECTION 2. All provisions of this act of a general and permanent nature
4 are amendatory of the Arkansas Code of 1987 Annotated and the Arkansas Code
5 Revision Commission shall incorporate the same in the Code.

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7 SECTION 3. If any provision of this act or the application thereof to
8 any person or circumstances held invalid, such invalidity shall not affect
9 other provisions or applications of the act which can be given effect without
10 the invalid provision or application, and to this end the provisions of this
11 act are declared to be severally.

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13 SECTION 4. All laws and parties of laws in conflict with this act are
14 hereby repealed.

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16 SECTION 5. EMERGENCY. It is hereby found and determined by the General
17 Assembly that the immediate passage of this act is necessary to protect jobs
18 and industry currently located in this state or those contemplating locating
19 here. Therefore an emergency is declared to exist and this act shall be in
20 full force and effect from and after its passage and approval.

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24 /s/ Senator Bradford

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