

1 State of Arkansas  
2 80th General Assembly  
3 Regular Session, 1995  
4 By: Representative Dietz

# A Bill

HOUSE BILL 1345

## For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE 26-52-103(a)(4) PERTAINING  
TO GROSS RECEIPTS TAX ON MOTOR VEHICLE FEDERAL LUXURY  
TAXES; AND FOR OTHER PURPOSES."

## Subtitle

"AN ACT PERTAINING TO GROSS RECEIPTS TAX  
ON MOTOR VEHICLE FEDERAL LUXURY TAXES."

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

SECTION 1. Arkansas Code 26-52-103(a)(4) is amended to read as follows:

"(4) Gross receipts or gross proceeds means the total amount of consideration for the sale of tangible personal property and such services as are herein specifically provided for, whether the consideration is in money or otherwise, without any deduction on account of the cost of the properties sold, labor service performed, interest paid, losses, or any expenses whatsoever. However, the term gross receipts or gross proceeds shall not include the manufacturer's federal excise taxes levied upon articles or federal luxury taxes levied upon motor vehicles if the manufacturer's federal excise taxes or motor vehicle federal luxury taxes are separately stated or separately billed. The term gross proceeds or gross receipts shall include the value of any goods, wares, merchandise, or property withdrawn or used from the established business or from the stock in trade of the established reserves for consumption or use in such business or by any other person;"

SECTION 2. All provisions of this act of a general and permanent

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

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4 SECTION 3. If any provision of this act or the application thereof to  
5 any person or circumstance is held invalid, such invalidity shall not affect  
6 other provisions or applications of the act which can be given effect without  
7 the invalid provision or application, and to this end the provisions of this  
8 act are declared to be severable.

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10 SECTION 4. All laws and parts of laws in conflict with this act are  
11 hereby repealed.

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13 SECTION . EMERGENCY. It is hereby found and determined by the  
14 General Assembly that the present law pertaining to gross receipts taxes on  
15 motor vehicle federal luxury taxes is unfair and inadequate, and this act is  
16 immediately necessary to provide equitable and valid procedures. Therefore,  
17 an emergency is hereby declared to exist and this act being necessary for the  
18 immediate preservation of the public peace, health and safety shall be in  
19 full force and effect from and after its passage and approval.

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