

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

HOUSE BILL 1464

4 By: Representative M. Wilson

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For An Act To Be Entitled

8 "AN ACT TO PROVIDE FOR SCIENTIFIC, MEDICAL AND
9 TECHNOLOGICAL JOBS AND INFRASTRUCTURE ENHANCEMENTS; AND
10 FOR OTHER PURPOSES."

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Subtitle

12
13 "TO PROVIDE FOR SCIENTIFIC, MEDICAL AND
14 TECHNOLOGICAL JOBS AND INFRASTRUCTURE
15 ENHANCEMENTS."

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

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19 SECTION 1. As used in this Act, the term "qualified medical company"
20 means a corporation engaged in:

21 (A) Research and development in the medical field; and

22 (B) Manufacture and distribution of medical products including
23 therapeutic and diagnostic products.

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25 SECTION 2. All agencies, departments, boards, commissions and other
26 instrumentalities of this State and all political subdivisions of this State
27 and all agencies, departments, boards, commissions and other
28 instrumentalities thereof, shall to the greatest extent possible expedite the
29 processing of all lawful applications and requests required or permitted by
30 law which are submitted or made by qualified medical companies and in
31 considering all such applications and requests give due consideration to the
32 purposes of this Act.

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34 SECTION 3. To the extent available time, personnel and other resources
35 permit, all state funded colleges and universities shall provide research

1 assistance to the Arkansas Science and Technology Authority to assist with
 2 planning to develop scientific, medical and technological commercial
 3 infrastructure enhancements to encourage qualified medical companies to
 4 locate in this State.

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6 SECTION 4. Arkansas Code § 26-51-427(1) is amended by adding a new
 7 subsection (E) to read as follows:

8 "(E)(i) As used in this section, the term qualified medical company
 9 means a corporation engaged in:

10 (A) Research and development in the medical field; and

11 (B) Manufacture and distribution of medical products

12 including therapeutic and diagnostic products.

13 (ii) In the case of qualified medical companies, as defined
 14 herein, a net operating loss for any taxable year shall be a net operating
 15 loss carryover to each of the 15 taxable years following the taxable year of
 16 the loss.

17 (iii) If the qualified medical company is an S corporation, the
 18 pass-through provisions of Ark. Code Ann. § 26-51-409, as in effect for the
 19 taxable year of the loss, shall be applicable.

20 (iv) The net operating loss provisions set forth above, which
 21 resulted from the operation of a qualified medical company, shall be
 22 effective for taxable years beginning on and after January 1, 1987."

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24 SECTION 5. All provisions of this act of a general and permanent
 25 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
 26 Code Revision Commission shall incorporate the same in the Code.

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28 SECTION 6. If any provision of this act or the application thereof to
 29 any person or circumstance is held invalid, such invalidity shall not affect
 30 other provisions or applications of the act which can be given effect without
 31 the invalid provision or application, and to this end the provisions of this
 32 act are declared to be severable.

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34 SECTION 7. All laws and parts of laws in conflict with this act are
 35 hereby repealed.

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2 SECTION 8. EMERGENCY. It is hereby found and determined by the
3 General Assembly that establishment of qualified medical companies in this
4 State will result in numerous benefits including industrial diversification,
5 broadening of the economic base, the creation of jobs and benefits to the
6 residents of this State through new products and processes; that this Act
7 would provide assistance to qualified medical companies and at the same time
8 create benefits to the State and its residents; that this Act would make
9 state law concerning qualified medical companies_ net operating loss carry
10 forward provisions compatible with the Internal Revenue Code of the United
11 States; and that the need for the assistance set forth in this Act is
12 necessary in order to provide for assistance to qualified medical companies.
13 Therefore, an emergency is hereby declared to exist and this act being
14 necessary for the immediate preservation of the public peace, health and
15 safety shall be in full force and effect from and after its passage and
16 approval.

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