

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

A Bill

HOUSE BILL 2688

5 By: Representative Mahony
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For An Act To Be Entitled

9 AN ACT TO EXTEND THE SALES TAX TO REAL ESTATE
10 COMMISSIONS, REAL ESTATE MANAGEMENT FEES, TITLE,
11 ABSTRACT, AND SETTLEMENT FEES, AND REAL ESTATE
12 CLOSING FEES; AND FOR OTHER PURPOSES.
13

Subtitle

14 TO EXTEND THE SALES TAX TO REAL ESTATE
15 COMMISSIONS, REAL ESTATE MANAGEMENT
16 FEES, TITLE, ABSTRACT, AND SETTLEMENT
17 FEES, AND REAL ESTATE CLOSING FEES.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code Title 26, Chapter 52, Subchapter 3, is
25 amended to add an additional section to read as follows:

26 26-52-314. Real Estate Fees and Commissions.

27 (a) The excise tax levied by the Arkansas Gross Receipts Act, § 26-52-
28 101, et seq., and by any act supplemental thereto, is levied on the gross
29 receipts or gross proceeds derived from real estate broker services, real
30 estate settlement charges and closing fees, and real estate management
31 services related to the sale, lease, exchange, management of Arkansas real
32 property, whether the services are performed by a person licensed by the
33 Arkansas Real Estate Commission or otherwise.

34 (b) As used in this section:

35 (1) "Real estate broker services" mean those activities listed
36 in § 17-42-103 for which a fee is paid; and



1 (2) “Real estate settlement charges and closing fees” include
2 all fees for services related to the sale of Arkansas real property,
3 including but not limited to abstract fees, title search fees, closing fees,
4 but not including title insurance premiums.

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6 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
7 General Assembly of the State of Arkansas that revenue available for the
8 support of necessary state services has declined during the last twelve
9 months as a result of the nationwide economic slow down; that without
10 additional revenue, some state services will be reduced or eliminated; that
11 some Arkansans will suffer as a result of service reductions or cuts; and
12 that this bill will provide the necessary revenue to avoid state service
13 reductions or cuts. Therefore, an emergency is declared to exist and this
14 act being immediately necessary for the preservation of the public peace,
15 health and safety shall become effective on July 1, 2003.