

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

A Bill

SENATE BILL 796

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5 By: Revenue & Tax - Senate
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For An Act To Be Entitled

9 AN ACT TO PROVIDE THAT BANK AND FINANCIAL
10 INSTITUTION SERVICE CHARGES ARE SUBJECT TO GROSS
11 RECEIPTS TAX; TO PROVIDE THAT FEES CHARGED FOR
12 INVESTMENT COUNSELING ARE SUBJECT TO GROSS
13 RECEIPTS TAX; TO PROVIDE THAT FEES CHARGED BY
14 BROKERS ARE SUBJECT TO GROSS RECEIPTS TAX; AND
15 FOR OTHER PURPOSES.
16

Subtitle

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18 TO PROVIDE THAT BANK AND FINANCIAL
19 INSTITUTION SERVICE CHARGES AND CHARGES
20 FOR INVESTMENT COUNSELING ARE SUBJECT TO
21 SALES TAX.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Title 26, Chapter 52, Subchapter 3 is amended by adding
27 additional sections to read as follows:

28 26-52-315. (a) The gross receipts or gross proceeds derived from
29 service charges of banks and financial institutions shall be subject to the
30 Arkansas gross receipts tax levied by the Arkansas Gross Receipts Act of
31 1941, as amended, § 26-52-101, et seq.

32 (b) "Service charges" include fees for transferring funds from one
33 account to another, stop payment charges, debit card replacement charges,
34 copy and research fees, bill payment fees, returned deposit item fees, fees
35 for issuing certified checks, and any other charges for bank or financial
36 institution services.



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2 26-52-316. The gross receipts or gross proceeds derived from the
3 rendering, furnishing, or performance of services by persons engaged in the
4 business of counseling others relative to investment in or disposition of
5 property rights, whether real, personal, tangible or intangible are subject
6 to Arkansas gross receipts tax as levied by the Arkansas Gross Receipts Act
7 of 1941, as amended, § 26-52-101, et seq.

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9 26-52-317. The gross receipts or gross proceeds derived from fees
10 charged by brokers licensed to buy and sell stocks, bonds, or other
11 securities are subject to Arkansas gross receipts tax as levied by the
12 Arkansas Gross Receipts Act of 1941, as amended, § 26-52-101, et seq.

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

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