1 2	State of Arkansas 85th General Assembly	A Bill		
3	Regular Session, 2005	112111	HOUSE BILL 1416	
4	Regular Bession, 2005		HOUSE BILL THO	
5	By: Representative Pritchard			
6				
7				
8		For An Act To Be Entitled		
9	AN ACT TO PROVIDE THAT DUES AND MEMBERSHIP FEES			
10	TO HEALTH SPAS, HEALTH CLUBS, AND FITNESS CLUBS			
11	ARE NOT SUBJECT TO ARKANSAS GROSS RECEIPTS TAX;			
12	AND FOR	OTHER PURPOSES.		
13				
14	Subtitle			
15	TO PROVIDE THAT DUES AND MEMBERSHIP FEES			
16	TO HE	EALTH SPAS, HEALTH CLUBS, AND		
17	FITNESS CLUBS ARE NOT SUBJECT TO			
18	ARKAN	NSAS GROSS RECEIPTS TAX.		
19				
20				
21	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:			
22				
23	SECTION 1. Arka	nsas Code § 26-52-301(6), pertaini	ing to gross receipts	
24	tax on services, is amended to read as follows:			
25	(6)(A) Du	es and membership fees to÷		
26		(i) Health spas, health clubs,	and fitness clubs;	
27	and			
28		(ii) Private private clubs with	nin the meaning of §	
29	3-9-202(10) which hold any permit from the Alcoholic Beverage Control Board			
30	allowing the sale, dispensing, or serving of alcoholic beverages of any kind			
31	on the premises.			
32	(B)(i) Except as provided in subdivis	ion (B)(ii) of this	
33	section, the gross receipts derived from services provided by or through a			
34	health spa, health club, fitness club, or private club shall not be subject			
35	to gross receipts tax unless the service is specifically enumerated as a			
36	taxable service under	this chapter.		

12-08-2004 11:23 KWH014

1	(ii) (B) The gross receipts derived by a private clu		
2	from the charges to members for the preparation and serving of mixed drinks		
3	or for the cooling and serving of beer and wine shall be subject to gross		
4	receipts tax as well as any supplemental taxes as provided by law.		
5			
6	SECTION 2. EMERGENCY CLAUSE. It is found and determined by the		
7	General Assembly of the State of Arkansas that many Arkansans are overweight		
8	or obese; that as a result they are at risk for many health problems; that		
9	one way to fight obesity and its related health problems is through regular		
10	exercise; that dues and fees paid to health and fitness clubs are currently		
11	subject to gross receipts tax; that health and fitness clubs should not be		
12	taxed in order to make the cost as low as possible for joining; and that this		
13	act is immediately necessary to accomplish this purpose. Therefore, an		
14	emergency is declared to exist and this act being necessary for the		
15	preservation of the public peace, health, and safety shall become effective		
16	on the first day of the second calendar month following:		
17	(1) The date of its approval by the Governor;		
18	(2) If the bill is neither approved nor vetoed by the Governor,		
19	the expiration of the period of time during which the Governor may veto the		
20	bill; or		
21	(3) If the bill is vetoed by the Governor and the veto is		
22	overridden, the date the last house overrides the veto.		
23			
24			
25			
26			
27			
28			
29			
30			
31			
32			
33			
34			
35			
36			