

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 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: S3/3/05
A Bill

SENATE BILL 328

5 By: Senator J. Jeffress
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8 **For An Act To Be Entitled**

9 AN ACT TO REQUIRE THE ARKANSAS DEPARTMENT OF
10 FINANCE AND ADMINISTRATION TO DISCLOSE THE NAMES
11 AND ADDRESSES OF TAXPAYERS THAT ARE DELINQUENT IN
12 REPORTING AND REMITTING SALES AND USE TAX AND
13 HAVE BEEN SERVED WITH A BUSINESS CLOSURE ORDER;
14 AND FOR OTHER PURPOSES.

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16 **Subtitle**

17 AN ACT TO REQUIRE THE ARKANSAS
18 DEPARTMENT OF FINANCE AND ADMINISTRATION
19 TO DISCLOSE A LIST OF TAXPAYERS THAT
20 HAVE BEEN SERVED WITH BUSINESS CLOSURE
21 ORDERS.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 26-18-303(b)(16) and (17), pertaining to
27 confidential records, are amended and a new subdivision is added to read as
28 follows:

29 (16) Disclosure to county tax assessors of information that may
30 affect personal property tax assessments, including information obtained
31 during the course of audits or investigations concerning motor vehicles,
32 boats, trailers, airplanes, or other items of personal property that may be
33 subject to assessment in that county. Such information may only be released
34 following completion of an audit or investigation by the director and
35 following a determination by the director that there is a strong possibility
36 the taxpayer has failed to properly assess the taxpayer's personal property



1 in the county. In providing such information, the director shall not allow
2 the county tax assessors to examine any tax returns or audit records; ~~and~~

3 (17) Disclosure to a capital development company organized under
4 the Arkansas Capital Development Company Act, § 15-4-1001 et seq., of the
5 name and tax identification number of and amount of any tax credit received
6 by a taxpayer as a result of the purchase of an equity interest in a capital
7 development company; and

8 (18)(A) For the purpose of timely and accurate collection of
9 local sales and use tax, disclosure of the names and addresses of taxpayers
10 that have failed three (3) times within any consecutive twenty-four month
11 period to either report or remit state or local gross receipts or
12 compensating use tax and have been served with a business closure order
13 pursuant to § 26-18-1001, et seq.

14 (B) Disclosure shall be made by posting weekly on the
15 Internet site maintained by the Department of Finance and Administration the
16 business name, the business address, and the city and county in which the
17 business is located as it appears on the sales tax permit of each taxpayer
18 identified in subdivision (18)(A) of this section.

19 (C) The information posted on the Internet site for a
20 taxpayer shall remain on the Internet site until that taxpayer is no longer
21 subject to the business closure provisions of § 26-18-1001 et seq.

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23 /s/ J. Jeffress
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