

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.

State of Arkansas  
85th General Assembly  
Regular Session, 2005

As Engrossed: S3/3/05

# A Bill

SENATE BILL 328

By: Senator J. Jeffress

## For An Act To Be Entitled

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

## Subtitle

AN ACT TO REQUIRE THE ARKANSAS  
DEPARTMENT OF FINANCE AND ADMINISTRATION  
TO DISCLOSE A LIST OF TAXPAYERS THAT  
HAVE BEEN SERVED WITH BUSINESS CLOSURE  
ORDERS.

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

*SECTION 1. Arkansas Code § 26-18-303(b)(16) and (17), pertaining to confidential records, are amended and a new subdivision is added to read as follows:*

*(16) Disclosure to county tax assessors of information that may affect personal property tax assessments, including information obtained during the course of audits or investigations concerning motor vehicles, boats, trailers, airplanes, or other items of personal property that may be subject to assessment in that county. Such information may only be released following completion of an audit or investigation by the director and following a determination by the director that there is a strong possibility 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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