

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: S1/27/05

## A Bill

SENATE BILL 9

By: Senator Altes  
By: Representatives Borhauer, Harris

### For An Act To Be Entitled

AN ACT TO CREATE A BACK-TO-SCHOOL TAX-FREE  
HOLIDAY BY EXEMPTING ITEMS OF CLOTHING AND  
FOOTWEAR FROM SALES AND USE TAX DURING A LIMITED  
TIME PERIOD; AND FOR OTHER PURPOSES.

### Subtitle

AN ACT TO CREATE A BACK-TO-SCHOOL TAX-  
FREE HOLIDAY BY EXEMPTING ITEMS OF  
CLOTHING AND FOOTWEAR FROM SALES AND USE  
TAX DURING A LIMITED TIME PERIOD.

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

SECTION 1. Arkansas Code Title 26, Chapter 52, Subchapter 4 is amended  
to add an additional section to read as follows:

26-52-438. Sales tax holiday for clothing and footwear.

(a) Gross receipts or gross proceeds derived from the sale of clothing  
and footwear designed to be worn by a person are exempted from the Arkansas  
Gross Receipts Act of 1941, §26-52-101 et seq., and the Arkansas Compensating  
Tax Act of 1949, §26-53-101 et seq., every year beginning at 12:01 a.m. until  
11:59 p.m. on the first Saturday in August.

(b) Subsection (a) of this section does not apply to:

(1) Items of clothing and footwear that exceed seventy-five  
dollars (\$75.00);

(2) Special clothing or footwear that is primarily designed for  
athletic activity or protective use and that is not normally worn except when



1 used for the athletic activity or protective use for which it is designed;

2 (3) Clothing accessories or equipment and similar items worn on  
3 the person or in conjunction with clothing;

4 (4) Protective equipment that is worn and designed as protection  
5 of the wearer against injury or disease or as protection against damage or  
6 injury of other persons or property but not suitable for general use; and

7 (5) The rental of clothing or footwear.

8 (c) The Department of Finance and Administration shall promulgate  
9 rules and regulations to implement the provisions of this section.

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11 /s/ Altes  
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