

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005

A Bill

SENATE BILL 9

4
5 By: Senator Altes
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For An Act To Be Entitled

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

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15 AN ACT TO CREATE A BACK-TO-SCHOOL TAX-
16 FREE HOLIDAY BY EXEMPTING ITEMS OF
17 CLOTHING AND FOOTWEAR FROM SALES AND USE
18 TAX DURING A LIMITED TIME PERIOD.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code Title 26, Chapter 52, Subchapter 4 is amended
24 to add an additional section to read as follows:

25 26-52-438. Sales tax holiday for clothing and footwear.

26 (a) Gross receipts or gross proceeds derived from the sale of clothing
27 and footwear designed to be worn by a person are exempted from the Arkansas
28 Gross Receipts Act of 1941, §26-52-101 et seq., and the Arkansas Compensating
29 Tax Act of 1949, §26-53-101 et seq., every year beginning at 12:01 a.m. until
30 11:59 p.m. on the first Saturday in August.

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

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

34 (2) Special clothing or footwear that is primarily designed for
35 athletic activity or protective use and that is not normally worn except when
36 used for the athletic activity or protective use for which it is designed;



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

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

6 (5) The rental of clothing or footwear.

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