

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 86th General Assembly
3 Regular Session, 2007
4

A Bill

HOUSE BILL 1366

5 By: Representatives M. Martin, Wood, Glidewell, Harrelson
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For An Act To Be Entitled

9 AN ACT TO EXEMPT PURCHASES UP TO TWENTY-FIVE
10 THOUSAND DOLLARS (\$25,000) YEARLY BY OR FOR A
11 PERMANENTLY DISABLED VETERAN FROM THE SALES AND
12 USE TAX; AND FOR OTHER PURPOSES.
13

Subtitle

14 TO EXEMPT PURCHASES BY OR FOR A
15 PERMANENTLY DISABLED VETERAN FROM THE
16 SALES AND USE TAX.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code Title 26 Chapter 52 is amended to add the
23 following section:

24 26-52-441. Permanently disabled veterans.

25 (a) As used in this section, "disabled veteran" means an American
26 veteran who:

27 (1) Is a citizen and resident of the State of Arkansas; and

28 (2) Has been determined by the United States Department of
29 Veterans Affairs to be a totally and permanently disabled service-connected
30 veteran.

31 (b) The gross receipts and gross proceeds derived from the sale of any
32 tangible personal property or taxable service to a disabled veteran are
33 exempt from the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq.

34 (c)(1) A sale of any tangible personal property or taxable service to
35 a person who is authorized to make a purchase on a disabled veteran's behalf
36 when a disabled veteran is not present at the sale is also exempt.



1 (2) A person authorized to make a purchase on the disabled
2 veteran's behalf is:

3 (A) The spouse of a disabled veteran; or

4 (B) A member of the household in which a disabled veteran
5 resides.

6 (d) The yearly total amount exempt under this section shall not exceed
7 twenty-five thousand dollars (\$25,000) per calendar year per disabled
8 veteran.

9 (e)(1) A disabled veteran shall provide the Chief Fiscal Officer of
10 the State a yearly statement, executed under oath, that the yearly total
11 amount for which the exemption under this section is applicable did not
12 exceed twenty-five thousand dollars (\$25,000) for the previous calendar year.

13 (2) A total yearly amount in excess of twenty-five thousand
14 dollars (\$25,000) is subject to the Gross Receipts Act of 1941, § 26-52-101
15 et seq.

16 (f) The Department of Finance and Administration shall promulgate
17 rules to administer this section.

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19 SECTION 2. Arkansas Code Title 26, Chapter 53 is amended to add a new
20 section to read as follows:

21 26-53-148. Permanently disabled veterans.

22 (a) As used in this section, "disabled veteran" means an American
23 veteran who:

24 (1) Is a citizen and resident of the State of Arkansas; and

25 (2) Has been determined by the United States Department of
26 Veterans Affairs to be a totally and permanently disabled service-connected
27 veteran.

28 (b) The purchase of tangible personal property or taxable service by a
29 disabled veteran is exempt from the state compensating tax levied in this
30 subchapter.

31 (c)(1) The sale of any tangible personal property or taxable service
32 to a person who is authorized to make a purchase on a disabled veteran's
33 behalf when a disabled veteran is not present at the sale is also exempt.

34 (2) A person authorized to make a purchase on a disabled
35 veteran's behalf is:

36 (A) The spouse of a disabled veteran; or

1 (B) A member of the household in which a disabled veteran
2 resides.

3 (d) The total yearly amount exempt under this section shall not exceed
4 twenty-five thousand dollars (\$25,000) per calendar year per disabled
5 veteran.

6 (e)(1) A disabled veteran shall provide the Chief Fiscal Officer of
7 the State a yearly statement, executed under oath, that the total yearly
8 amount for which the exemption under this section is applicable did not
9 exceed twenty-five thousand dollars (\$25,000) for the previous calendar year.

10 (2) The total yearly amount in excess of twenty-five thousand
11 dollars (\$25,000) is subject to the state compensating tax levied under this
12 subchapter.

13 (f) The Department of Finance and Administration shall promulgate
14 rules to administer this section.

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16 SECTION 3. This act is effective on January 1, 2008.
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