

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

A Bill

HOUSE BILL 1404

4
5 By: Representative Kenney
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For An Act To Be Entitled

8
9 AN ACT TO EXEMPT FROM THE SALES AND USE TAX
10 PURCHASES UP TO A CERTAIN AMOUNT YEARLY BY OR FOR
11 A PERMANENTLY DISABLED VETERAN; AND FOR OTHER
12 PURPOSES.
13

Subtitle

14
15 TO EXEMPT FROM THE SALES AND USE TAX
16 PURCHASES BY OR FOR A PERMANENTLY
17 DISABLED VETERAN.
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19

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 individual
26 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 or gross proceeds derived from the sale of any
32 tangible personal property or service to a disabled veteran are exempt from
33 the Arkansas Gross Receipts Act of 1941, § 26-52-101 et seq.

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



1 exempt.

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

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

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

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

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

14 (2) The amount of gross receipts or gross proceeds in excess of
15 twenty-five thousand dollars (\$25,000) in a calendar year is subject to the
16 Gross Receipts Act of 1941, § 26-52-101 et seq.

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

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

22 26-53-148. Permanently disabled veterans.

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

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

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

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

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

36 (2) A person authorized to make a purchase on a disabled

1 veteran's behalf is:

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

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

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

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

12 (2) The amount of purchases in excess of twenty-five thousand
13 dollars (\$25,000) are subject to the state compensating tax levied under this
14 subchapter.

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

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

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