

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

SENATE BILL 31

5 By: Senator Madison
6 By: Representatives Harrelson, Burris
7

For An Act To Be Entitled

10 AN ACT TO PROHIBIT REFERRALS TO WEBSITES OF
11 TEXTBOOK SELLERS THAT ARE NOT REQUIRED TO COLLECT
12 AND DO NOT AGREE TO PAY ARKANSAS SALES AND USE
13 TAXES; AND FOR OTHER PURPOSES.
14

Subtitle

15 TO PROHIBIT REFERRALS TO WEBSITES OF
16 TEXTBOOK SELLERS THAT ARE NOT REQUIRED
17 AND DO NOT AGREE TO COLLECT ARKANSAS
18 SALES AND USE TAXES.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code Title 6, Chapter 60, is amended to add an
25 additional subchapter to read as follows:
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Subchapter 6 – Textbooks and course materials

6-60-601. Website links for textbooks and course materials.

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29 (a) No state-supported college or university in this state shall place
30 or permit to be placed on its website or its bookstore's website a link to
31 the website of a seller of textbooks or other educational materials if the
32 seller:

33 (1) Is not required to report and pay Arkansas sales and use
34 taxes; and

35 (2) Does not obtain a use tax permit from the Department of
36 Finance and Administration and report and pay Arkansas sales and use taxes on



1 sales of textbooks and other educational materials to residents of this
2 state.

3 (b) This section is intended to promote the state's ability to provide
4 a quality but affordable higher education by strengthening the state's
5 relationship with textbook sellers that support the state's educational
6 mission by:

7 (1) Paying Arkansas sales and use taxes; and

8 (2) Interacting locally with state-supported colleges and
9 universities.

10 (c)(1) A violation or suspected violation of subsection (a) of this
11 section shall be reported to the Department of Finance and Administration.

12 (2) If the Department of Finance and Administration determines
13 that a violation of subsection (a) of this section has occurred, it shall
14 notify the state-supported college or university of the violation.

15 (3) Upon receipt of notice from the Department of Finance and
16 Administration under subdivision (c)(2) of this section, the state-supported
17 college or university shall take its website off-line for forty-eight (48)
18 hours.

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20 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
21 General Assembly of the State of Arkansas that many sellers of textbooks
22 outside of the State of Arkansas do not pay sales and use taxes to the state
23 for in-state sales; that the additional revenue to be generated by the
24 passage of this act is needed to help provide the best state-supported higher
25 education possible; and that the loss of such sales and use tax revenue
26 should be stopped or limited immediately. Therefore, an emergency is declared
27 to exist and this act being immediately necessary for the preservation of the
28 public peace, health, and safety shall become effective on:

29 (1) The date of its approval by the Governor;

30 (2) If the bill is neither approved nor vetoed by the Governor,
31 the expiration of the period of time during which the Governor may veto the
32 bill; or

33 (3) If the bill is vetoed by the Governor and the veto is
34 overridden, the date the last house overrides the veto.

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