

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 87th General Assembly  
3 Regular Session, 2009

# A Bill

HOUSE BILL 1225

4  
5 By: Representative Cooper  
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## For An Act To Be Entitled

9 AN ACT TO INCREASE THE PERIOD OF TIME FOR WHICH A  
10 CONSUMER SELLER OF A USED MOTOR VEHICLE, TRAILER,  
11 OR SEMITRAILER MAY DEDUCT THE VALUE OF THE USED  
12 USED MOTOR VEHICLE, TRAILER, OR SEMITRAILER FROM  
13 THE CONSIDERATION PAID FOR A NEW USED MOTOR  
14 VEHICLE, TRAILER, OR SEMITRAILER FOR PURPOSES OF  
15 DETERMINING THE GROSS RECEIPTS AND USE TAX OWED  
16 ON THE NEW USED MOTOR VEHICLE, TRAILER, OR  
17 SEMITRAILER; AND FOR OTHER PURPOSES.  
18

## Subtitle

19 TO INCREASE THE TIME FOR WHICH A SELLER  
20 OF A VEHICLE MAY DEDUCT THE VALUE OF THE  
21 USED VEHICLE FROM THE CONSIDERATION PAID  
22 FOR A NEW VEHICLE FOR PURPOSES OF  
23 DETERMINING THE GROSS RECEIPTS AND USE  
24 TAX OWED ON THE NEW VEHICLE.  
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28 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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30 SECTION 1. Arkansas Code § 26-52-510(b)(1)(C)(i), regarding the  
31 payment of the gross receipts tax by a consumer-user for new and used motor  
32 vehicles, trailers, or semitrailers is amended to read as follows:

33 (C)(i) When a used motor vehicle, trailer, or semitrailer  
34 is sold by a consumer, rather than ~~traded in~~ traded in as a credit or part  
35 payment on the sale of a new or used motor vehicle, trailer, or semitrailer,  
36 and the consumer subsequently purchases a new or used motor vehicle, trailer,



1 or semitrailer of greater value within ~~forty-five (45)~~ ninety (90) days of  
2 the sale, the tax levied by this chapter and all other gross receipts taxes  
3 levied by the state shall be paid on the net difference between the total  
4 consideration for the new or used motor vehicle, trailer, or semitrailer  
5 purchased subsequently and the amount received from the sale of the used  
6 motor vehicle, trailer, or semitrailer sold in lieu of a trade-in.

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8 SECTION 2. Arkansas Code § 26-53-126(b)(3)(A), concerning the use tax  
9 on new and used motor vehicles, trailers, or semitrailers, is amended to read  
10 as follows:

11 (3)(A) When a used motor vehicle, trailer, or semitrailer is  
12 sold by a consumer, rather than traded in as a credit or part payment on the  
13 sale of a new or used motor vehicle, trailer, or semitrailer, and the  
14 consumer subsequently purchases a new or used motor vehicle, trailer, or  
15 semitrailer of greater value within ~~forty-five (45)~~ ninety (90) days of the  
16 sale, the tax levied by this chapter and all other gross receipts taxes  
17 levied by the state shall be paid on the net difference between the total  
18 consideration for the new or used motor vehicle, trailer, or semitrailer  
19 purchased subsequently and the amount received from the sale of the used  
20 motor vehicle, trailer, or semitrailer sold in lieu of a trade-in.

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22 SECTION 3. Effective date. Sections 1 and 2 of this act are effective  
23 on the first day of the second calendar month following the effective date of  
24 this act.