

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
4

As Engrossed: H3/20/09

A Bill

HOUSE BILL 1995

5 By: Representative Adcock
6
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For An Act To Be Entitled

9 AN ACT TO GIVE THE SELLER OF A MANUFACTURED HOME
10 PARK AN INCOME TAX CREDIT FOR A SALE OF THE
11 MANUFACTURED HOME PARK TO A RESIDENT BUYER'S
12 ASSOCIATION; AND FOR OTHER PURPOSES.
13

Subtitle

15 TO GIVE THE SELLER OF A MANUFACTURED
16 HOME PARK AN INCOME TAX CREDIT FOR A
17 SALE OF THE MANUFACTURED HOME PARK TO A
18 RESIDENT BUYER'S ASSOCIATION.
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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 51, subchapter 5, is
24 amended to add an additional section to read as follows:

25 26-51-513. Tax credit for sale of manufactured home park.

26 (a) As used in this section:

27 (1) "Manufactured home" means a factory-built structure produced
28 in accordance with the National Manufactured Housing Construction and Safety
29 Standards Act of 1974, 42 U.S.C. § 5401 et seq., and designed to be used as a
30 dwelling unit;

31 (2) "Manufactured home park" means a parcel of land for the
32 placement of three (3) or more manufactured or mobile homes where services
33 for a fee are provided for the placement and maintenance of manufactured or
34 mobile homes for residential purposes;

35 (3) "Mobile home" means a structure built in a factory prior to
36 the enactment of the National Manufactured Housing Construction and Safety



1 Standards Act of 1974, 42 U.S.C. § 5401 et seq., and designed to be used as
2 a dwelling unit;

3 (4) "Resident" means a person who owns and occupies a mobile
4 home or a manufactured home in a manufactured home park; and

5 (5) "Resident buyers' association" means a corporation formed by
6 a majority of residents of a manufactured home park for the express purpose
7 of owning, operating, and maintaining the manufactured home park.

8 (b)(1) A taxpayer that sells a manufactured home park located in this
9 state to a resident buyers' association is allowed an income tax credit
10 against the tax imposed by the Income Tax Act of 1929, § 26-51-101 et seq.

11 (2) The income tax credit is equal to ten percent (10%) of the
12 net income from the sale of the park up to a maximum income tax credit of two
13 hundred thousand dollars (\$200,000).

14 (c) The amount of the income tax credit under this section that may be
15 claimed by the taxpayer in a tax year shall not exceed the amount of the
16 state income tax due by the taxpayer.

17 (d) Any unused income tax credit under this section may be carried
18 forward for a maximum of five (5) consecutive tax years for credit against
19 the state income tax.

20 (e) An income tax credit under this section granted to a partnership,
21 a limited liability company taxed as a partnership, or multiple owners of a
22 manufactured home park shall be passed through to the partners, members, or
23 owners respectively on a pro rata basis or pursuant to an executed agreement
24 between or among the partners, members, or owners documenting an alternative
25 distribution method.

26 (f) The income tax credit under this section is nontransferable.

27 (g) The Director of the Department of Finance and Administration shall
28 promulgate rules to implement this section.

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30 SECTION 2. Effective date. This act is effective for tax years
31 beginning on or after January 1, 2009.

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33 */s/ Adcock*
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