

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

HOUSE BILL 1737

5 By: Representative Ingram
6

For An Act To Be Entitled

8 AN ACT TO PROVIDE THAT THE AMOUNT OF SALES AND USE
9 TAX GENERATED FROM MOTOR VEHICLE AND RELATED SALES
10 GOES TO THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION
11 DEPARTMENT AS NEW REVENUE FROM THE STREAMLINED SALES
12 TAX IS GENERATED; AND FOR OTHER PURPOSES.
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Subtitle

15 TO PROVIDE THAT THE AMOUNT OF SALES AND
16 USE TAX GENERATED FROM MOTOR VEHICLE AND
17 RELATED SALES GOES TO THE ARKANSAS STATE
18 HIGHWAY AND TRANSPORTATION DEPARTMENT AS
19 NEW REVENUE FROM THE STREAMLINED SALES
20 TAX IS GENERATED.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 26-52-107 is amended to read as follows:

27 26-52-107. Disposition of taxes, interest, and penalties.

28 (a) All taxes, interest, penalties, and costs received by the Director
29 of the Department of Finance and Administration under the provisions of this
30 chapter shall be general revenues and shall be deposited into the State
31 Treasury to the credit of the State Apportionment Fund. The Treasurer of
32 State shall allocate and transfer the same to the various State Treasury
33 funds participating in general revenues in the respective proportions to each
34 as provided by, and to be used for the respective purposes set forth in, the
35 Revenue Stabilization Law, § 19-5-101 et seq.

36 (b) When the Director of the Department of Finance and Administration



1 determines that federal law authorizes the state to collect sales and use tax
2 from sellers that do not have a physical presence in the state and that these
3 sellers make sales of taxable goods and services to Arkansas purchasers,
4 then:

5 (1) On the last day of each month, the Chief Fiscal Officer of
6 the State shall certify to the Treasurer of State:

7 (A) The amount of net available general revenues
8 attributable to the collection of sales and use tax from sellers that have no
9 physical presence in the state; and

10 (B) The amount of net general revenues attributable from
11 both in-state and out-of-state sales of motor vehicles, motor vehicle tires,
12 motor vehicle batteries, motor vehicle accessories, and motor vehicle
13 services; and

14 (2) The State Treasurer shall distribute the amount of net
15 available general revenues as determined in subdivision (b)(1)(A) of this
16 section up to a maximum amount as determined in subdivision (b)(1)(B) as
17 follows:

18 (A) Seventy-six and six-tenths percent (76.6%) shall be
19 deposited into the State Highway and Transportation Department Fund; § 15-41-
20 110;

21 (B) Eight and five-tenths percent (8.5%) shall be
22 deposited into the Property Tax Relief Trust Fund; and

23 (C) Fourteen and nine-tenths percent (14.9%) shall be
24 deposited into the Educational Adequacy Fund.

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