1	State of Arkansas	As Engrossed: ${}^{ ext{H3/16/11}}_{ ext{H.}}$ ${}^{ ext{Bill}}_{ ext{I}}$	3/18/11	
2	88th General Assembly	A DIII		
3	Regular Session, 2011		HOUSE BILL 1737	
4 5	Ry: Representatives Ingram	Rarnett Hickerson		
6	By: Representatives Ingram, Barnett, Hickerson By: Senator Salmon			
7	by. Sentior Samon			
8	For An Act To Be Entitled			
9	AN ACT TO PROVIDE THAT THE AMOUNT OF SALES AND USE			
10	TAX GENERATED FROM MOTOR VEHICLE AND RELATED SALES			
11	GOES TO THE ARKANSAS STATE HIGHWAY AND TRANSPORTATION			
12	DEPARTMENT AS NEW REVENUE FROM THE STREAMLINED SALES			
13	TAX IS GENERATED; AND FOR OTHER PURPOSES.			
14				
15				
16		Subtitle		
17	TO P	ROVIDE THAT THE AMOUNT OF	SALES AND	
18	USE TAX GENERATED FROM MOTOR VEHICLE AND			
19	RELATED SALES GOES TO THE ARKANSAS STATE			
20	HIGHWAY AND TRANSPORTATION DEPARTMENT AS			
21	NEW REVENUE FROM THE STREAMLINED SALES			
22	TAX IS GENERATED.			
23				
24				
25	BE IT ENACTED BY THE C	GENERAL ASSEMBLY OF THE ST	TATE OF ARKANSAS:	
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27	SECTION 1. Arka	ansas Code § 26-52-107 is	amended to read as follows:	
28	26-52-107. Disp	position of taxes, interes	st, and penalties.	
29	(a) All taxes, interest, penalties, and costs received by the Directo			
30	of the Department of Finance and Administration under the provisions of this			
31	chapter shall be general revenues and shall be deposited into the State			
32	Treasury to the credit of the State Apportionment Fund. The Treasurer of			
33	State shall allocate and transfer the same to the various State Treasury			
34	funds participating in general revenues in the respective proportions to each			
35	as provided by, and to be used for the respective purposes set forth in, the			
36	Revenue Stabilization Law, § 19-5-101 et seq.			

1	(b) When the Director of the Department of Finance and Administration		
2	determines that federal law authorizes the state to collect sales and use tax		
3	from sellers that do not have a physical presence in the state and that these		
4	sellers make sales of taxable goods and services to Arkansas purchasers and		
5	that the requirements of §§ 26-52-317(a) and 26-53-145(a) requirements have		
6	been met, then:		
7	(1) On the last day of each month, the Chief Fiscal Officer of		
8	the State shall certify to the Treasurer of State:		
9	(A) The amount of net available general revenues		
10	attributable to the collection of sales and use tax from sellers that have no		
11	physical presence in the state; and		
12	(B) The amount of net general revenues attributable from		
13	both in-state and out-of-state sales of motor vehicles, motor vehicle tires,		
14	motor vehicle batteries, motor vehicle accessories, and motor vehicle		
15	services; and		
16	(2) Except as provided in §§ 26-52-317(a) and 26-53-145(a),		
17	notwithstanding any other laws regarding the distribution of revenue received		
18	as the result of federal law authorizing the state to collect sales and use		
19	tax from sellers that do not have a physical presence in the state, the		
20	Treasurer of State shall distribute the amount of net available general		
21	revenues as determined in subdivision (b)(1)(A) of this section up to a		
22	maximum amount as determined in subdivision (b)(1)(B) as follows:		
23	(A) Seventy-six and six-tenths percent (76.6%) shall be		
24	deposited into the State Highway and Transportation Department Fund; § 15-41-		
25	<u>110;</u>		
26	(B) Eight and five-tenths percent (8.5%) shall be		
27	deposited into the Property Tax Relief Trust Fund; and		
28	(C) Fourteen and nine-tenths percent (14.9%) shall be		
29	deposited into the Educational Adequacy Fund.		
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31	/s/Ingram		
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