

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

A Bill

HOUSE BILL 1451

5 By: Representatives C. Douglas, Jett, Payton, Boyd
6

For An Act To Be Entitled

8 AN ACT TO AMEND DEFINITIONS USED FOR PURPOSES OF
9 SALES AND USE TAXES; TO EXCLUDE MANUFACTURER REBATES
10 ON MOTOR VEHICLES FROM THE DEFINITIONS USED FOR
11 PURPOSES OF DETERMINING SALES AND USE TAXES; AND FOR
12 OTHER PURPOSES.
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Subtitle

15 TO EXCLUDE MANUFACTURER REBATES ON MOTOR
16 VEHICLES FROM THE DEFINITIONS USED FOR
17 PURPOSES OF DETERMINING SALES AND USE
18 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 § 26-52-103(13)(B), concerning the definition
25 of "gross receipts", "gross proceeds", or "sales price" under the Arkansas
26 Gross Receipts Act of 1941, is amended to read as follows:

27 (B) "Gross receipts", "gross proceeds", or "sales price"
28 does not include:

29 (i) A discount including cash, term, or a coupon
30 that is not reimbursed by a third party and that is allowed by a seller and
31 taken by a purchaser on a sale;

32 (ii) Interest, financing, or a carrying charge from
33 credit extended on the sale of tangible personal property or services, if the
34 amount is separately stated on the invoice, bill of sale, or similar document
35 given to the purchaser; ~~and~~

36 (iii) Any tax legally imposed directly on the



1 consumer that is separately stated on the invoice, bill of sale, or similar
 2 document given to the purchaser; and

3 (iv) A manufacturer's rebate on a motor vehicle;
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5 SECTION 2. Arkansas Code § 26-53-102(13)(B), concerning the definition
 6 of "sales price" or "purchase price" under the Arkansas Compensating Tax Act
 7 of 1949, is amended to read as follows:

8 (B) "Sales price" or "purchase price" shall not include:

9 (i) A discount, including cash, term, or a coupon
 10 that is not reimbursed by a third party and that is allowed by a seller and
 11 taken by a purchaser on a sale;

12 (ii) Interest, financing, and carrying charges from
 13 credit extended on the sale of tangible personal property or services if the
 14 amount is separately stated on the invoice, bill of sale, or similar document
 15 given to the purchaser; ~~and~~

16 (iii) Any tax legally imposed directly on the
 17 consumer that is separately stated on the invoice, bill of sale, or similar
 18 document given to the purchaser; and

19 (iv) A manufacturer's rebate on a motor vehicle;
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21 SECTION 3. EFFECTIVE DATE. Sections 1 and 2 of this act are effective
 22 on the first day of the calendar quarter following the effective date of this
 23 act.
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