

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4
5 By: Representative Jett
6

A Bill

HOUSE BILL 1684

For An Act To Be Entitled

8 AN ACT TO EXTEND THE STATUTE OF LIMITATIONS FOR
9 DETERMINING THE CORRECT AMOUNT OF TAX DUE IN RELATION
10 TO CERTAIN AMENDED RETURNS OR VERIFIED CLAIMS FOR
11 CREDIT OR REFUND; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 TO EXTEND THE STATUTE OF LIMITATIONS FOR
15 DETERMINING THE CORRECT AMOUNT OF TAX DUE
16 IN RELATION TO CERTAIN AMENDED RETURNS OR
17 VERIFIED CLAIMS FOR CREDIT OR REFUND.
18
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. Arkansas Code § 26-18-306(i), concerning the time
24 limitations for assessments, collection, refunds, and prosecution under the
25 Arkansas Tax Procedure Act, is amended to add an additional subdivision to
26 read as follows:

27 (3)(A) If a taxpayer files an amended return or verified claim
28 for credit or refund within sixty (60) days of the date the statute of
29 limitation stated in this subsection will expire:

30 (i) For income taxes in tax years beginning on and
31 after January 1, 2017, the director has sixty (60) days from the date of the
32 filing of the amended return or verified claim for credit or refund to review
33 the amended return or verified claim for credit or refund for purposes of
34 determining the accuracy of the amended return or verified claim for credit
35 or refund; and

36 (ii) For all taxes other than income taxes,



1 beginning the first day of the calendar quarter following the effective date
2 of this act, the director has sixty (60) days from the date of the filing of
3 the amended return or verified claim for credit or refund to review the
4 amended return or verified claim for credit or refund for purposes of
5 determining the accuracy of the amended return or verified claim for credit
6 or refund.

7 (B)(i) Notwithstanding subsection (a) of this section, the
8 director may make an assessment of tax due or reduce the amount of the credit
9 or refund due for the reporting period for which the amended return or
10 verified claim for credit or refund is filed if the director determines that
11 the amended return or verified claim for credit or refund does not accurately
12 reflect the amount of tax or refund due.

13 (ii) However, an assessment of tax or reduction of
14 credit or refund shall not be made under subdivision (i)(3)(B)(i) of this
15 section more than sixty (60) days after the date of the filing of the amended
16 return or verified claim for credit or refund.

17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36