

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

As Engrossed: H2/4/21

# A Bill

HOUSE BILL 1023

5 By: Representatives Lowery, Jett, Ray  
6 By: Senator M. Johnson  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE SALES TAX LAWS CONCERNING SPECIAL  
10 EVENTS; TO EXCLUDE CERTAIN SCHOOL FUNDRAISERS FROM  
11 THE SALES TAX LAWS REGULATING SPECIAL EVENTS; AND FOR  
12 OTHER PURPOSES.  
13  
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## Subtitle

15 TO AMEND THE SALES TAX LAWS CONCERNING  
16 SPECIAL EVENTS; AND TO EXCLUDE CERTAIN  
17 SCHOOL FUNDRAISERS FROM THE SALES TAX  
18 LAWS REGULATING SPECIAL EVENTS.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24

25 SECTION 1. Arkansas Code § 26-52-401, concerning sales tax exemptions  
26 for various products and services, is amended to add an additional  
27 subdivision to read as follows:

28 (42)(A) Gross receipts or gross proceeds derived from sales of  
29 tangible personal property, specified digital products, a digital code, or  
30 services to a parent teacher organization, a parent teacher association, or a  
31 similar organization that is:

32 (i) An organization described in 26 U.S.C. §  
33 501(c)(3), as in effect on January 1, 2021; and

34 (ii) Affiliated with a public school.

35 (B) As used in this subdivision (42), "public school"  
36 means any school operated by a public school district or any open-enrollment



1 public charter school, as defined in § 6-23-103.

2  
3 SECTION 2. Arkansas Code § 26-52-518(a)(3)(C), concerning the  
4 definition of "special event" in relation to the collection of sales taxes,  
5 is amended to read as follows:

6 (C) The special events shall not include: ~~any~~

7 (i) A county, district, or state fair; ~~or the~~

8 (ii) The four states livestock show that has been  
9 approved, ~~pursuant to~~ under the rules of the Arkansas Livestock and Poultry  
10 Commission, to receive state funds; ~~or~~

11 (iii)(a) A public school fundraising event sponsored  
12 by a parent teacher organization, a parent teacher association, or a similar  
13 organization if the:

14 (1) Ticket sales to the fundraising  
15 event are sold by public school personnel, students, parents of students, and  
16 community volunteers and businesses; and

17 (2) Gross proceeds from the ticket sales  
18 are used to directly assist the public school in fulfilling its mission of  
19 educating children.

20 (b) As used in this subdivision

21 (a)(3)(C)(iii), "public school" means any school operated by a public school  
22 district or any open-enrollment public charter school, as defined in § 6-23-  
23 103; and

24  
25 SECTION 3. EFFECTIVE DATE. Sections 1 and 2 of this act are effective  
26 on the first day of the calendar quarter following the effective date of this  
27 act.

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29 /s/Lowery