

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4
5 By: Representative Tosh
6 By: Senator D. Wallace
7

A Bill

HOUSE BILL 1346

For An Act To Be Entitled

9 AN ACT TO AMEND STATE SALES AND USE TAX LAW; TO
10 CREATE A SALES AND USE TAX EXEMPTION FOR THE PURCHASE
11 OF A BUSINESS VEHICLE BY A FOOD PANTRY; TO CREATE A
12 ONE-TIME REBATE OF STATE SALES AND USE TAX FOR THE
13 PURCHASE OF A BUSINESS VEHICLE IN 2022 BY A FOOD
14 PANTRY; AND FOR OTHER PURPOSES.

Subtitle

18 TO CREATE A SALES AND USE TAX EXEMPTION
19 FOR THE PURCHASE OF A BUSINESS VEHICLE BY
20 A FOOD PANTRY; AND TO CREATE A ONE-TIME
21 REBATE OF STATE SALES AND USE TAX FOR THE
22 PURCHASE OF A BUSINESS VEHICLE IN 2022 BY
23 A FOOD PANTRY.

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

28 SECTION 1. Arkansas Code Title 26, Chapter 52, Subchapter 4, is
29 amended to add an additional section to read as follows:

30 26-52-455. Food pantry purchase of a business vehicle – Definitions.

31 (a) As used in this section:

32 (1) "Business vehicle" means a motor vehicle that is:

33 (A) Purchased by a food pantry to deliver food to
34 recipients of the food pantry's service; and

35 (B) Not used for the personal commuting of a staff member
36 or executive at the food pantry; and



1 (2) "Food pantry" means a nonprofit corporation whose mission is
 2 to distribute food to people who have difficulty purchasing enough food to
 3 avoid hunger.

4 (b) The gross receipts or gross proceeds derived from the sale of a
 5 business vehicle to a food pantry are exempt from the gross receipts tax
 6 levied by this chapter and the compensating use tax levied by the Arkansas
 7 Compensating Tax Act of 1949, § 26-53-101 et seq.

8 (c) The Secretary of the Department of Finance and Administration
 9 shall promulgate rules and prescribe forms for claiming the exemption as
 10 provided by this section.

11
 12 SECTION 2. DO NOT CODIFY. TEMPORARY LANGUAGE.

13 (a) A food pantry that purchased a business vehicle in 2022 and that
 14 paid sales or use tax on the purchase is eligible for a rebate of the state
 15 sales or use tax paid.

16 (b) The food pantry shall apply for the rebate with the Department of
 17 Finance and Administration on a form the department has approved.

18 (c) This section is retroactive to purchases between January 1, 2022
 19 and December 31, 2022.

20 (d) The rebate request shall be submitted to the department by the
 21 food pantry no later than December 31, 2023.

22
 23 SECTION 3. EFFECTIVE DATES.

24 Sections 1 and 2 of this act are effective on the first day of the
 25 second calendar month following the effective date of this act.