

State of Arkansas
93rd General Assembly
Regular Session, 2021

As Engrossed: H2/10/21
A Bill

HOUSE BILL 1374

By: Representatives A. Collins, Jett
By: Senator J. Dismang

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING WHEN CERTAIN SALES BY CHARITABLE ORGANIZATIONS ARE EXEMPT FROM SALES AND USE TAX; TO AMEND THE CRITERIA TO DETERMINE WHEN A SALE BY A CHARITABLE ORGANIZATION COMPETES WITH A SALE BY A FOR-PROFIT BUSINESS; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING WHICH SALES BY CHARITABLE ORGANIZATIONS ARE EXEMPT FROM SALES AND USE TAX; AND TO AMEND THE CRITERIA TO DETERMINE WHEN A SALE BY A CHARITABLE ORGANIZATION COMPETES WITH A SALE BY A FOR-PROFIT BUSINESS.

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

SECTION 1. Arkansas Code § 26-52-430(b), concerning the exemption from sales and use tax for the sale of certain property by charitable organizations, is amended to read as follows:

(b) A sale by a charitable organization does not compete with a sale by a for-profit business if:

(1) The sales transaction is conducted by a member of the charitable organization and not by a franchisee or licensee;

(2) All the proceeds derived from the sales transaction go to the charitable organization; and



(3) The sales transaction is not a:

(A) A continuing one ~~and~~; or

(B) ~~is held not~~ Held more than ~~three (3)~~ ten (10) times a year.

/s/A. Collins

APPROVED: 4/20/21