

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

SENATE BILL 434

By: Senator J. Dismang
By: Representative Eaves

For An Act To Be Entitled

AN ACT TO AMEND THE ARKANSAS INCOME TAX WITHHOLDING ACT OF 1965 TO REDUCE THE NUMBER OF EMPLOYEES REQUIRED TO MANDATE THE ELECTRONIC FILING OF ANNUAL WITHHOLDING STATEMENTS; TO REDUCE THE METHODS BY WHICH AN EMPLOYER CAN FILE ANNUAL WITHHOLDING STATEMENTS; AND FOR OTHER PURPOSES.

Subtitle

TO REDUCE THE NUMBER OF EMPLOYEES REQUIRED TO MANDATE THE ELECTRONIC FILING OF ANNUAL WITHHOLDING STATEMENTS AND TO REDUCE THE METHODS BY WHICH AN EMPLOYER CAN FILE ANNUAL WITHHOLDING STATEMENTS.

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

SECTION 1. Arkansas Code § 26-51-909(b)(2), concerning the annual income tax withholding statement, is amended to read as follows:

(1) The annual statement of withholding shall be in the form prescribed by the Secretary of the Department of Finance and Administration.

(2)(A) The statement from the employer shall be filed with the secretary on or before January 31 following the close of the income year.

(B) ~~For tax years beginning on or after January 1, 2006,~~
an An employer who has ~~two hundred fifty (250)~~ one hundred twenty-five (125) or more employees during the employer's income year shall file the statement ~~either:~~



- ~~(i) Electronically;~~
- ~~(ii) On magnetic media; or~~
- ~~(iii) In any other machine-readable form approved by~~

~~the secretary.~~

electronically.

(C) The secretary may waive the requirement in subdivision (b)(2)(B) of this section if the secretary determines, on the basis of an application by the employer, that filing the statement electronically would cause an undue hardship on the employer.

SECTION 2. EFFECTIVE DATE. Section 1 of this act is effective for tax years beginning on or after January 1, 2024.

APPROVED: 4/11/23