

HOUSE AMENDMENT 3 TO HB1338.

adding on line 6 of page 1 as a house sponsor "Purdom"

and by deleting lines 16 and 17 on page 4 and substituting the following:

"legalized gambling. However, a facility regulated under Ark. Code Ann. §23-110-101 et seq. or §23-111-101 et seq. shall be a tourism attraction for purposes of this Act for any approved project as outlined in subsection (j)(1) of this section or for an approved project relating to parimutuel racing at the facility and not for establishing a casino or for offering casino-style gambling."

and by deleting on line 9 on page 5 the phrase "one million dollars (\$1,000,000)" and substituting "five hundred thousand dollars (\$500,000)";

and by deleting on lines 26 and 27 on page 5 the phrase "one million dollars (\$1,000,000)" and substituting "five hundred thousand dollars (\$500,000)"

and by deleting lines 24 through 32 on page 8 and substituting the following:

"(b) (1) (A) (i) An approved company whose agreement provides that it shall expend approved costs of more than five hundred thousand dollars (\$500,000) but less than one million dollars (\$1,000,000) shall be entitled to a credit if the company certifies to the Director of the Department of Finance and Administration that it has expended at least \$500,000 in approved costs, and the Director certifies that the approved company is in compliance with this Act. The Director of the Department of Finance and Administration shall then issue a sales tax credit memorandum to the approved company equal to 10% of the approved costs. Subsequent requests for credit for additional certified approved costs in excess of \$500,000 but less than \$1 million shall result in a sales tax credit equal to 10% of the approved costs.

(ii) If the company subsequently expends additional certified approved costs so that the total amount of expended approved costs exceeds \$1,000,000, then the sales tax credit memorandum shall equal 25% of the approved costs in excess of \$1,000,000.

(B) An approved company whose agreement provides that it shall expend approved costs in excess of one million dollars (\$1,000,000) shall be entitled to a credit if the company certifies to the Director of the Department of Finance and Administration that it has expended at least one million dollars (\$1,000,000) in approved costs and the Director certifies that the approved company is in compliance with this Act. The Director of the Department of Finance and Administration shall then issue a sales tax credit memorandum to

the approved company equal to 25% of the approved costs. The credit on all subsequent additional certified approved costs shall be equal to 25% of the costs.

(C) The Director of the Department of Finance and Administration may require proof of expenditures. Additional credit memorandum may be issued as the approved company certifies additional expenditures of approved costs."

and by deleting lines 18 through 20 on page 9 and substituting the following:

"(2)(A) An approved company whose agreement provides that it shall expend approved costs in excess of one million dollars (\$1,000,000) shall be entitled to use only 10% of the amount of each issued credit to offset increased state sales tax liability during each calendar year, plus the amount of any unused credit carried forward from a prior calendar year; and,

(B) An approved company whose agreement provides that it shall expend approved costs of more than five hundred thousand dollars (\$500,000) but less than one million dollars (\$1,000,000) shall be entitled to use only 20% of the amount of each issued credit to offset increased state sales tax liability during each calendar year, plus the amount of any unused credit carried forward from a prior calendar year; and, "