

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
90th General Assembly
Regular Session, 2015

As Engrossed: H3/25/15
A Bill

HOUSE BILL 1866

By: Representative Gates

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE TIME LIMITATIONS FOR A REFUND OR CREDIT FOR AN OVERPAYMENT OF A STATE TAX; TO ALLOW A TAXPAYER TO CLAIM A REFUND OR CREDIT FOR AN OVERPAYMENT OF A STATE TAX DURING THE SAME PERIOD OF TIME THAT THE STATE MAY ASSESS OVERDUE TAXES; AND FOR OTHER PURPOSES.

Subtitle

TO ALLOW A TAXPAYER TO CLAIM A REFUND OR CREDIT FOR AN OVERPAYMENT OF A STATE TAX DURING THE SAME PERIOD OF TIME THAT THE STATE MAY ASSESS OVERDUE TAXES.

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

SECTION 1. Arkansas Code § 26-18-306(i)(1), concerning the time limitations for assessments, collections, and refunds, is amended to read as follows:

(i)(1)(A) An amended return or verified claim for credit or refund of an overpayment of ~~any a~~ state tax shall be filed by the taxpayer within three (3) years from the time the return was filed or two (2) years from the time the tax was paid, whichever of the periods expires later.

(B) ~~The provisions of subdivision~~ Subdivision (i)(1)(A) of this section ~~shall~~ does not apply to a tax paid as a result of an audit or proposed assessment.

(C)(i) If a taxpayer is subject to an audit, then the taxpayer may file an amended return or verified claim for credit or refund of



an overpayment of a state tax that occurred at any time during the time period for which the audit is performed.

(ii) However, the total refund of overpayments for the extended audit period shall not be more than the total amount assessed for the extended audit period.

/s/Gates