

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

State of Arkansas
91st General Assembly
Regular Session, 2017

A Bill

HOUSE BILL 1684

By: Representative Jett

For An Act To Be Entitled

AN ACT TO EXTEND THE STATUTE OF LIMITATIONS FOR
DETERMINING THE CORRECT AMOUNT OF TAX DUE IN RELATION
TO CERTAIN AMENDED RETURNS OR VERIFIED CLAIMS FOR
CREDIT OR REFUND; AND FOR OTHER PURPOSES.

Subtitle

TO EXTEND THE STATUTE OF LIMITATIONS FOR
DETERMINING THE CORRECT AMOUNT OF TAX DUE
IN RELATION TO CERTAIN AMENDED RETURNS OR
VERIFIED CLAIMS FOR CREDIT OR REFUND.

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

SECTION 1. Arkansas Code § 26-18-306(i), concerning the time limitations for assessments, collection, refunds, and prosecution under the Arkansas Tax Procedure Act, is amended to add an additional subdivision to read as follows:

(3)(A) If a taxpayer files an amended return or verified claim for credit or refund within sixty (60) days of the date the statute of limitation stated in this subsection will expire:

(i) For income taxes in tax years beginning on and after January 1, 2017, the director has sixty (60) days from the date of the filing of the amended return or verified claim for credit or refund to review the amended return or verified claim for credit or refund for purposes of determining the accuracy of the amended return or verified claim for credit or refund; and

(ii) For all taxes other than income taxes,



beginning the first day of the calendar quarter following the effective date of this act, the director has sixty (60) days from the date of the filing of the amended return or verified claim for credit or refund to review the amended return or verified claim for credit or refund for purposes of determining the accuracy of the amended return or verified claim for credit or refund.

(B)(i) Notwithstanding subsection (a) of this section, the director may make an assessment of tax due or reduce the amount of the credit or refund due for the reporting period for which the amended return or verified claim for credit or refund is filed if the director determines that the amended return or verified claim for credit or refund does not accurately reflect the amount of tax or refund due.

(ii) However, an assessment of tax or reduction of credit or refund shall not be made under subdivision (i)(3)(B)(i) of this section more than sixty (60) days after the date of the filing of the amended return or verified claim for credit or refund.