

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

State of Arkansas
94th General Assembly
Regular Session, 2023

As Engrossed: H3/29/23
A Bill

HOUSE BILL 1346

By: Representatives Tosh, *Eaves*

By: Senator D. Wallace

For An Act To Be Entitled

AN ACT TO AMEND STATE SALES AND USE TAX LAW; TO
CREATE A SALES AND USE TAX EXEMPTION FOR THE PURCHASE
OF A BUSINESS VEHICLE BY A FOOD PANTRY; TO CREATE A
ONE-TIME REBATE OF STATE SALES AND USE TAX FOR THE
PURCHASE OF A BUSINESS VEHICLE IN 2022 BY A FOOD
PANTRY; AND FOR OTHER PURPOSES.

Subtitle

TO CREATE A SALES AND USE TAX EXEMPTION
FOR THE PURCHASE OF A BUSINESS VEHICLE BY
A FOOD PANTRY; AND TO CREATE A ONE-TIME
REBATE OF STATE SALES AND USE TAX FOR THE
PURCHASE OF A BUSINESS VEHICLE IN 2022 BY
A FOOD PANTRY.

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

SECTION 1. Arkansas Code Title 26, Chapter 52, Subchapter 4, is amended to add an additional section to read as follows:

26-52-455. Food pantry purchase of a business vehicle – Definitions.

(a) As used in this section:

(1) "Business vehicle" means a motor vehicle that is:

(A) Purchased by a food pantry to deliver food to recipients of the food pantry's service; and

(B) Not used for the personal commuting of a staff member or executive at the food pantry; and



(2) "Food pantry" means a nonprofit corporation whose mission is to distribute food to people who have difficulty purchasing enough food to avoid hunger.

(b) The gross receipts or gross proceeds derived from the sale of a business vehicle to a food pantry are exempt from the gross receipts tax levied by this chapter and the compensating use tax levied by the Arkansas Compensating Tax Act of 1949, § 26-53-101 et seq.

(c) The Secretary of the Department of Finance and Administration shall promulgate rules and prescribe forms for claiming the exemption as provided by this section.

SECTION 2. DO NOT CODIFY. TEMPORARY LANGUAGE.

(a) A food pantry that purchased a business vehicle in 2022 and that paid sales or use tax on the purchase is eligible for a rebate of the state sales or use tax paid.

(b) The food pantry shall apply for the rebate with the Department of Finance and Administration on a form the department has approved.

(c) This section is retroactive to purchases between January 1, 2022 and December 31, 2022.

(d) The rebate request shall be submitted to the department by the food pantry no later than December 31, 2023.

SECTION 3. EFFECTIVE DATES.

Sections 1 and 2 of this act are effective on the first day of the second calendar month following the effective date of this act.

/s/Tosh