

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

HOUSE BILL 1814

By: Representative K. Brown

For An Act To Be Entitled

AN ACT TO AMEND TAX LAWS AS THEY RELATE TO CERTAIN NONPROFIT ORGANIZATIONS THAT SUPPORT STATE VETERANS CEMETERIES; TO CREATE AN INCOME TAX CHECK-OFF PROGRAM FOR THE ARKANSAS VETERANS CEMETERY FOUNDATION; TO CREATE A SALES AND USE TAX EXEMPTION FOR SALES TO THE ARKANSAS VETERANS CEMETERY FOUNDATION; AND FOR OTHER PURPOSES.

Subtitle

TO CREATE AN INCOME TAX CHECK-OFF PROGRAM FOR THE ARKANSAS VETERANS CEMETERY FOUNDATION; AND TO CREATE A SALES AND USE TAX EXEMPTION FOR SALES TO THE ARKANSAS VETERANS CEMETERY FOUNDATION.

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

SECTION 1. Arkansas Code Title 26, Chapter 51, Subchapter 25, is amended to add an additional section to read as follows:

26-51-2512. Contributions to the Arkansas Veterans Cemetery Foundation.

(a)(1) It is the purpose of this section to provide a means by which an individual taxpayer may designate a portion or all of his or her income tax refund to be withheld and contributed for the purposes stated in this section.

(2) It is the intent of the General Assembly that the income tax check-off program established in this section be supplemental to any funding that would otherwise be appropriated for the purposes stated in this section.



(b) The Revenue Division of the Department of Finance and Administration shall include on the Arkansas individual income tax forms, including those forms on which a husband and wife file separately on the same form and on all corporate income tax forms, a designation as follows:

“(1) If you are entitled to a refund, check if you wish to designate [] \$1, [] \$5, [] \$10, [] \$_____ (write in amount), or [] all refund due of your tax refund for the Arkansas Veterans Cemetery Foundation. Your refund will be reduced by this amount.

(2) If you owe an additional amount, check if you wish to contribute an additional [] \$1, [] \$5, [] \$10, [] \$_____ (write in amount) for the Arkansas Veterans Cemetery Foundation. If you wish to make a contribution to the foundation, you must enclose a separate check for the amount of your contribution, payable to the Arkansas Veterans Cemetery Foundation.”

(c) The Department of Finance and Administration shall certify quarterly to the Treasurer of State the amount contributed to the program through this state income tax check-off during the quarter as authorized by this section, and the Treasurer of State shall deduct from the:

(1) Individual Income Tax Withholding Fund the amount certified by the department as contributed to the program on individual income tax forms; and

(2) Corporate Income Tax Withholding Fund the amount certified by the department as contributed to the program on corporate income tax forms.

(d) The Secretary of the Department of Finance and Administration may promulgate rules necessary to carry out the program established under this section.

SECTION 2. Arkansas Code § 26-52-401, concerning sales tax exemptions for various products and services, is amended to add an additional subdivision to read as follows:

(43) Gross receipts or gross proceeds from the sale of tangible personal property, specified digital products, a digital code, or a service to the Arkansas Veterans Cemetery Foundation.

SECTION 3. EFFECTIVE DATES.

(a) Section 1 of this act is effective for tax years beginning on or after January 1, 2023.

(b) Section 2 of this act is effective on the first day of the calendar quarter following the effective date of this act.