

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

SENATE BILL 39

By: Senator J. Boyd
By: Representatives L. Johnson, Crawford, Gramlich

For An Act To Be Entitled

AN ACT TO AMEND THE GROSS RECEIPTS TAX LAWS; TO REQUIRE THE GROSS RECEIPTS TAX DUE ON THE RETAIL PURCHASE OF A NEW OR USED MOTORBOAT TO BE REMITTED BY THE BUYER DIRECTLY TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE THE GROSS RECEIPTS TAX DUE ON THE RETAIL PURCHASE OF A NEW OR USED MOTORBOAT TO BE REMITTED BY THE BUYER DIRECTLY TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION.

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

SECTION 1. Arkansas Code Title 26, Chapter 52, Subchapter 5, is amended to add an additional section to read as follows:

26-52-524. Direct payment of tax by buyer – New and used motorboats sold at retail.

(a) As used in this subdivision:

(1) "Motorboat" means the same as defined under § 27-101-103(5);

and

(2) "Seller" means a motorboat dealer and not an individual.

(b) The consumer shall pay to the Secretary of the Department of Finance and Administration the tax levied by this chapter and all other gross receipts taxes levied by the state with respect to the sale of a new or used



motorboat required to be registered in this state under § 27-101-304, instead of the taxes being collected by the seller.

(c)(1) The consumer shall remit the gross receipts tax at or before the time of registration required under § 27-101-304.

(2) If the consumer fails to pay the taxes when due:

(A) There is assessed a penalty equal to ten percent (10%) of the amount of taxes due; and

(B) The buyer shall pay to the secretary the penalty under subdivision (c)(2)(A) of this section and the taxes due before the secretary issues completes the registration of the motorboat.

SECTION 2. Section 1 of this act is effective on the first day of the calendar quarter following the effective date of this act.