

Title 26. Taxation

Chapter I. Generally, Department of Finance and Administration

Subchapter F. Miscellaneous Taxes

Part 165. Real Property Tax Credit Claims

Codification Notes. This part as promulgated prior to codification into the Code of Arkansas Rules provided as follows:

"This rule has been promulgated to aid in the enforcement and administration of the certification provisions of Acts 1 and 2 of the Second Extraordinary Session of 2000. This rule has been promulgated pursuant to the authority vested in the Director of the Arkansas Department of Finance and Administration under Ark. Code Ann. §§ 26-18-301, 26-52-105 and 26-53-104."

"Issued this 19th day of January, 2001 in the City of Little Rock, Pulaski County, Arkansas."

Subpart 1. Generally

26 CAR § 165-101. Real property tax credit claims.

(a)(1) Beginning in 2001, on or before March 31 of each year, the county collector of each county in Arkansas must certify to the Secretary of the Department of Finance and Administration the total amount of the real property tax reduction incurred by the county for the preceding calendar year as a result of the tax credit authorized by Acts 2000 (2nd Ex. Sess.), Nos. 1 and 2.

(2) All certifications must be in writing and on forms provided by the Department of Finance and Administration.

(3)(A) Certification forms must be filed with the department on or before March 31.

(B)(i) A form is considered to have been filed with the department on the date it is actually received by the department.

(ii) However, for forms mailed to the department through the United States Postal Service, the postmark date on the envelope containing the form will be considered the form's filing date.

(C) If March 31 falls on a Saturday, Sunday, or legal holiday for which the department is closed, the due date will be the next working day that the department is open for business.

(4) Claims, requests for forms, or any questions relating thereto should be directed to:

Department of Finance and Administration
Revenue Division, Tax Credits/Special Refunds Section
P.O. Box 8054, Little Rock, AR 72203
Telephone number: (501) 682-7106

(b)(1) As provided by Acts 2000 (2nd Ex. Sess.), Nos. 1 and 2, the department has the authority to verify the amount of the real property tax reductions certified by the various county collectors.

(2) As such, all county collectors shall provide the department with the following information in a timely manner:

(A) The physical location of the records used by the county collector to determine the county's revenue loss;

(B) The name of the appropriate person to contact to arrange for access to and review of the aforementioned county records; and

(C) The name of the appropriate person to contact to discuss and review the methodology employed in determining the county's certified revenue loss.

(c)(1) The department cannot determine the proportionate share of the total statewide real property tax reduction attributable to each county until every county in the state has filed a properly completed certification form with the secretary.

(2) As soon as all county claims are received, the department will compute the percentage each county's claim bears to the total of all claims.

(3) Such percentage shall then be utilized in distributing to each county the funds available in the Property Tax Relief Trust Fund.

(d) The only real property tax reductions that may be certified for reimbursement are those related to homesteads under Acts 2000 (2nd Ex. Sess.), Nos. 1 and 2.

Authority. Arkansas Code §§ 26-18-301, 26-52-105, 26-53-104.