

ARKANSAS SENATE
83rd General Assembly - Regular Session, 2001
Amendment Form

Subtitle of Senate Bill No. 2

"BACK TO SCHOOL TAX RELIEF ACT."

Amendment No. 1 to Senate Bill No. 2.

Amend Senate Bill No. 2 as originally introduced:

Add Senator K. Smith as a Senate cosponsor to the bill

AND

Add Representatives Prater, McMillon, Creekmore, Dees, and Parks as House cosponsors to the bill

AND

Delete everything after the enacting clause and substitute:

"SECTION 1. Arkansas Code Title 26, Chapter 52, Subchapter 4 is amended to add the following new section:

26-52-433. Limited Exemption for Clothing and Footwear.

(a) The gross receipts or gross proceeds derived from the sale of an article of clothing or footwear designed to be worn on or about the human body are exempt from gross receipts tax if:

(1) The sales price of the article is less than seventy-five dollars (\$75.00); and

(2) The sale takes place between 12:01 a.m. and 11:59 p.m. on the first Saturday in August of every year.

(b) This section does not apply to:

(1) Any special clothing or footwear that is primarily designed for athletic activity or protective use and that is not normally worn except when used for the athletic activity or protective use for which it is designed;

(2) Accessories, including, but not limited to, jewelry, handbags, luggage, umbrellas, wallets, watches, and similar items carried on or about the human body, without regard to whether worn on the body in a manner characteristic of clothing; and

(3) The rental of clothing or footwear.

(c) The Department of Finance and Administration shall promulgate rules and regulations to implement the provisions of this act.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the citizens of Arkansas bear a heavy financial burden during their annual preparations for the school year and that burden would be lessened by this act. In order for this act to be implemented in time for the 2001-2002 school year, adequate notice to retailers and the public must be given. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

The Amendment was read the first time, rules suspended and read the second time and _____

**By: Senator DeLay
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Secretary