

Hall of the House of Representatives
85th General Assembly - Regular Session, 2005
Amendment Form

Subtitle of House Bill No. 2953

"TO ESTABLISH THE BROADBAND INCENTIVE ACT OF 2005."

Amendment No. 2 to House Bill No. 2953.

Amend House Bill No. 2953 as engrossed, H3/11/05 (version: 03-11-2005 09:06):

Page 2, delete line 28, and substitute the following:

"liability imposed by the Income Tax Act of 1929, § 26-51-101 et seq.

(5) "Underserved area" means an area of the State of Arkansas in which broadband internet service is not available by cable, wire, or radio frequency on June 1, 2005.

AND

Page 2, line 31, delete "(1)"

AND

Page 2, delete lines 32 and 33 and substitute the following:

"residents of an underserved area shall"

AND

Page 2, line 36, delete "county" and substitute "underserved area"

AND

Page 3, delete lines 1 through 6

AND

Page 3, line 16, delete "September 1, 2005" and substitute "June 1, 2005"

AND

Page 3, line 18, delete "September 1, 2011" and substitute "June 1, 2011"

AND



Page 3, line 25, delete "six (6)" and substitute "six (6) consecutive tax"

AND

Page 4, delete lines 8 through 19, and substitute the following:

"SECTION 2. Arkansas Code Title 26, Chapter 52, Subchapter 5 is amended to add an additional section to read as follows:

26-52-523. Broadband technology.

(a) The Director of the Department of Finance and Administration shall refund any state sales or use tax to a broadband provider paid by the broadband provider on the purchase of broadband technology deployed between June 1, 2005 and June 1, 2011, if the broadband provider furnishes the director the following:

(1) A written request for a refund under § 26-18-507;

(2) Evidence that the sales or use tax was paid by the broadband provider; and

(3) Other information required by the director.

(b)(1) A claim for refund of sales or use tax under this section is subject to the Arkansas Tax Procedure Act, § 26-18-101 et seq.

(2) Any claim for refund shall be in writing and filed within three (3) years after the date the tax was paid by the broadband provider."

The Amendment was read _____
By: Representative Dobbins
KWH/KSW - 03-25-2005 13:42
KWH317

Chief Clerk