

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: S1/20/99 S2/22/99

A Bill

SENATE BILL 32

5 By: Senators Hill, Hunter, DeLay, Critcher, Argue, Roebuck, Bearden, Wooldridge
6 By: Representatives Faris, Milum, R. Smith, Files, Hunt, Teague, Wilkinson, Glover, King,
7 Hickinbotham, Hausam, Magnus, Womack, House, Prater, Harris, T. Smith, Milligan, Horn, Willis,
8 Scrimshire, Hendren
9

For An Act To Be Entitled

10
11 "AN ACT TO EXEMPT THE SALE OF DIGITAL BROADCAST
12 EQUIPMENT TO A FEDERALLY LICENSED BROADCAST STATION
13 FROM THE ARKANSAS GROSS RECEIPTS TAX; AND FOR OTHER
14 PURPOSES. "
15

Subtitle

16
17 "TO EXEMPT THE SALE OF DIGITAL BROADCAST
18 EQUIPMENT TO LICENSED T. V. AND RADIO
19 STATIONS FROM THE ARKANSAS GROSS
20 RECEIPTS TAX. "
21

22
23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

25 SECTION 1. Title 26, Chapter 52, Subchapter 4 of the Arkansas Code of
26 1987, Annotated, is amended to add a new section to read as follows:

27 26-52-430. Purchases of digital radio and television broadcast equipment
28 exempted.

29 (a) As used in this section, unless the context otherwise requires:

30 (1) "Digital broadcast equipment" means equipment purchased by a
31 radio and television broadcast station for the origination or integration of
32 program materials for broadcast over the airwaves which uses or produces an
33 electronic signal where the signal carries data generated, stored, and
34 processed as strings of binary data. Data transmitted or stored as digital
35 data consists of strings of positive or nonpositive elements of a transmission
36 expressed in strings of 0's and 1's which a computer or processor can

RCK023

0106990258. RCK023

1 reconstruct as an electronic signal;

2 (2) "Federally licensed commercial or public radio and television
3 broadcast station" means any entity or enterprise, either commercial or
4 noncommercial, which operates under a license granted by the Federal
5 Communications Commission (F.C.C.) for the purpose of free distribution of
6 audio and video services when the distribution occurs by means of transmission
7 over the public airwaves.

8 (b) The gross receipts or gross proceeds derived from the sale of
9 digital broadcast equipment purchased by a federally licensed commercial or
10 public radio and television broadcast station shall be exempt from the tax
11 levied by the Arkansas Gross Receipts Act of 1941, beginning at § 26-52-101.

12 (c) However, this exemption shall not apply to any purchases of
13 equipment replaced as a result of damage or theft or which replaces digital
14 broadcast equipment.

15
16 SECTION 2. Unless affirmatively reenacted by the Arkansas General
17 Assembly, this Act shall expire on June 30, 2006.

18
19 SECTION 3. All provisions of this act of general and permanent nature
20 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
21 Revision Commission shall incorporate the same in the Code.

22
23 SECTION 4. If any provisions of this act or the application thereof to
24 any person or circumstance is held invalid, the invalidity shall not affect
25 other provisions or applications of the act which can be given effect without
26 the invalid provisions or application, and to this end the provisions of this
27 act are declared to be severable.

28
29 SECTION 5. All laws and parts of laws in conflict with this act are
30 hereby repealed.

31 */s/ Hill*