

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001  
4

As Engrossed: S3/15/01

# A Bill

SENATE BILL 2

5 By: Senators DeLay, K. Smith  
6 By: Representatives Prater, McMellon, Creekmore, Dees, Parks  
7  
8

## For An Act To Be Entitled

9  
10 BACK TO SCHOOL TAX RELIEF ACT; AND FOR OTHER  
11 PURPOSES.  
12

### Subtitle

13  
14 BACK TO SCHOOL TAX RELIEF ACT.  
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16

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 SECTION 1. *Arkansas Code Title 26, Chapter 52, Subchapter 4 is amended*  
20 *to add the following new section:*

21 26-52-433. Limited Exemption for Clothing and Footwear.

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

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

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

29 (b) This section does not apply to:

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

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

1 manner characteristic of clothing; and

2 (3) The rental of clothing or footwear.

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

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

19 /s/ DeLay

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