

Popular Name

A PROPOSED CONSTITUTIONAL AMENDMENT TO AMENDMENT 75
REDUCING THE EXCISE TAX RATE FROM ONE-EIGHTH OF ONE PERCENT
(1/8 OF 1%) TO ONE-FOURTEENTH OF ONE PERCENT (1/14 OF 1%)
TO BE EFFECTIVE JANUARY 1, 2013

Ballot Title

TO AMEND THE ARKANSAS CONSTITUTION CONCERNING THE TAX BURDEN PLACED ON THE CITIZEN OF ARKANSAS BY REDUCING THE EXCISE TAX RATE; PROVIDING THAT THE RATE OF ONE-EIGHTH OF ONE PERCENT (1/8 OF 1%) BE REDUCED TO ONE-FOURTEENTH OF ONE PERCENT (1/14 OF 1%); PROVIDING THAT THE ARKANSAS STATE GAME AND FISH COMMISSION BE REMOVED FROM THE AGENCIES RECEIVING A PORTION OF THE EXCISE TAX; PROVIDING THAT THE PORTION OF THE EXCISE TAX FOR THE DEPARTMENT OF PARKS AND TOURISM BE INCREASED FROM FORTY-FIVE PERCENT (45%) TO EIGHTY-TWO PERCENT (82%); PROVIDING THAT THE PORTION OF THE EXCISE TAX FOR THE DEPARTMENT OF HERITAGE BE INCREASED FROM NINE PERCENT (9%) TO SIXTEEN PERCENT (16%); PROVIDING THAT THE PORTION OF THE EXCISE TAX FOR KEEP ARKANSAS BEAUTIFUL BE INCREASED FROM ONE PERCENT (1%) TO TWO PERCENT (2%); PROVIDING THIS AMENDMENT SHALL BE EFFECTIVE JANUARY 1, 2013

SECTION 1. Section 1 of Amendment 75 to the Arkansas Constitution is amended to read as follows:

1. Statement of purpose.

The people of the State of Arkansas find that parks, tourism and natural heritage constitute a major economic and natural resource of the state and they desire to provide additional funds to the Department of Parks and Tourism, the Department of Heritage and Keep Arkansas Beautiful.

SECTION 2. Section 2 of Amendment 75 to the Arkansas Constitution is amended to read as follows:

2. Excise tax levied.

(a) There is hereby levied an additional excise tax of one-fourteenth of one percent (1/14 of 1%) upon all taxable sales of property and services subject to the tax levied by the Arkansas Gross Receipts Act (Arkansas Code § 26-52-101 et seq.), and such tax shall be collected, reported, and

paid in the same manner and at the same time as is prescribed by law for the collection, reporting and payment of all other Arkansas gross receipts taxes.

(b) There is hereby levied an additional excise tax of one-fourteenth of one percent (1/14 of 1%) upon all tangible personal property subject to the tax levied by the Arkansas Compensating Tax Act (Arkansas Code § 26-53-101 et seq.), and such tax shall be collected, reported, and paid in the same manner and at the same time as is prescribed by law for the collection, reporting and payment of Arkansas compensating taxes.

SECTION 3. Section 3 of Amendment 75 to the Arkansas Constitution is amended to read as follows:

3. Use of proceeds.

(a) Notwithstanding any provision of Amendment 35 or any other provision of the Arkansas Constitution to the contrary, eighty-two percent (82%) of all monies collected from the tax levied herein shall be deposited in the State Treasury as special revenues and credited to the Department of Parks and Tourism Fund Account to be used by the Department of Parks and Tourism for state park purposes, as appropriated by the General Assembly.

(b) Sixteen percent (16%) of all monies collected from the tax levied herein shall be deposited in the State Treasury as special revenues and credited to the Arkansas Department of Heritage Fund Account to be used exclusively by the Department of Heritage as appropriated by the General Assembly.

(c) Two percent (2%) of all monies collected from the tax levied herein shall be deposited in the State Treasury as special revenues and credited to the Keep Arkansas Beautiful Fund Account, which is hereby created on the books of the State Treasurer, State Auditor and the Chief Fiscal Officer of the State, to be used exclusively by Keep Arkansas Beautiful, as appropriated by the General Assembly.

SECTION 4. Section 4 of Amendment 75 to the Arkansas Constitution is amended to read as follows:

4. Administrative procedures.

(a) The General Assembly shall provide for the proper administration and enforcement of this amendment by law.

(b) Unless the General Assembly provides another procedure by law, the provisions of the Arkansas Tax Procedure Act, Sections 26-18-101 et seq., shall so far as practicable be applicable to the tax levied by this amendment and the reporting, remitting and enforcement of the tax.

(c) This Amendment is effective January 1, 2013.

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