

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

SENATE BILL 39

5 By: Senator J. Boyd
6 By: Representatives L. Johnson, Crawford, Gramlich
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE GROSS RECEIPTS TAX LAWS; TO
10 REQUIRE THE GROSS RECEIPTS TAX DUE ON THE RETAIL
11 PURCHASE OF A NEW OR USED MOTORBOAT TO BE REMITTED BY
12 THE BUYER DIRECTLY TO THE DEPARTMENT OF FINANCE AND
13 ADMINISTRATION; AND FOR OTHER PURPOSES.
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Subtitle

16 TO REQUIRE THE GROSS RECEIPTS TAX DUE ON
17 THE RETAIL PURCHASE OF A NEW OR USED
18 MOTORBOAT TO BE REMITTED BY THE BUYER
19 DIRECTLY TO THE DEPARTMENT OF FINANCE AND
20 ADMINISTRATION.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code Title 26, Chapter 52, Subchapter 5, is
27 amended to add an additional section to read as follows:

28 26-52-524. Direct payment of tax by buyer – New and used motorboats
29 sold at retail.

30 (a) As used in this subdivision:

31 (1) "Motorboat" means the same as defined under § 27-101-103(5);

32 and

33 (2) "Seller" means a motorboat dealer and not an individual.

34 (b) The consumer shall pay to the Secretary of the Department of
35 Finance and Administration the tax levied by this chapter and all other gross
36 receipts taxes levied by the state with respect to the sale of a new or used



1 motorboat required to be registered in this state under § 27-101-304, instead
2 of the taxes being collected by the seller.

3 (c)(1) The consumer shall remit the gross receipts tax at or before
4 the time of registration required under § 27-101-304.

5 (2) If the consumer fails to pay the taxes when due:

6 (A) There is assessed a penalty equal to ten percent (10%)
7 of the amount of taxes due; and

8 (B) The buyer shall pay to the secretary the penalty under
9 subdivision (c)(2)(A) of this section and the taxes due before the secretary
10 issues completes the registration of the motorboat.

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12 SECTION 2. Section 1 of this act is effective on the first day of the
13 calendar quarter following the effective date of this act.