1   State of Arkansas

2   89th General Assembly

A Bill

3   Regular Session, 2013   HOUSE BILL 1400

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5   By: Representative D. Altes

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7   **For An Act To Be Entitled**

8   AN ACT CONCERNING THE SALES AND USE TAX ON HEARING

9   AIDS; TO EXEMPT HEARING AIDS FROM THE REQUIREMENT

10   THAT PROSTHETIC DEVICES BE PRESCRIBED BY A PHYSICIAN

11   TO BE ELIGIBLE FOR THE SALES AND USE TAX EXEMPTION IF

12   CERTAIN CONDITIONS ARE MET; AND FOR OTHER PURPOSES.

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15   **Subtitle**

16   TO EXEMPT HEARING AIDS FROM THE

17   REQUIREMENT THAT PROSTHETIC DEVICES BE

18   PRESCRIBED BY A PHYSICIAN TO BE ELIGIBLE

19   FOR THE SALES AND USE TAX EXEMPTION IF

20   CERTAIN CONDITIONS ARE MET.

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

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25   SECTION 1. Arkansas Code § 26-52-433(a), concerning the sales and use

26 tax exemption for durable medical equipment, mobility-enhancement equipment,

27 prosthetic devices, and disposable medical supplies, is amended to add an

28 additional subdivision to read as follows:

29   (3) However, a prescription from a physician is not required for

30 the gross receipts or gross proceeds derived from the sale of a hearing aid

31 to be exempt from all state and local sales and use taxes if:

32   (A) The hearing aid is sold by a provider licensed under §

33 17-84-301 et seq. or § 17-100-301 et seq.; and

34   (B) The sale of the hearing aid complies with federal

35 medical evaluation and referral requirements under 21 C.F.R. §§ 801.420 and

36 801.421.

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2   SECTION 2.   EFFECTIVE DATE.   Section 1 of this act is effective on the

3 first day of the calendar quarter following the effective date of this act.

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