

1 HB299
2 190480-1
3 By Representative Beech
4 RFD: Ways and Means General Fund
5 First Read: 25-JAN-18

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8 SYNOPSIS: Existing law provides for a refund to
9 pharmaceutical service providers for overpayment of
10 the supplemental privilege tax on pharmaceutical
11 services paid by those providers in the form of a
12 credit against future taxes.

13 This bill would authorize the Department of
14 Revenue, upon petition by a pharmaceutical service
15 provider who is entitled to a credit of the
16 supplemental privilege tax on pharmaceutical
17 services and has unused credit remaining after
18 October 1, 2018, to refund the provider the
19 remaining credit.

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21 A BILL
22 TO BE ENTITLED
23 AN ACT

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25 Relating to the supplemental privilege tax on
26 pharmaceutical services; to amend Section 40-26B-9, Code of
27 Alabama 1975, to authorize the Department of Revenue, upon

1 petition by a pharmaceutical service provider who is entitled
2 to a credit of the supplemental privilege tax on
3 pharmaceutical services and has unused credit remaining after
4 October 1, 2018, to refund the provider the remaining credit.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

6 Section 1. Section 40-26B-9, Code of Alabama 1975,
7 is amended to read as follows:

8 "§40-26B-9.

9 "(a) Each pharmaceutical service provider that
10 collected and remitted the supplemental privilege tax on
11 pharmaceutical services pursuant to Article 1A, as it read
12 prior to August 30, 2016, shall be entitled to a refund of the
13 taxes collected in the form of a credit against any future
14 taxes levied pursuant to the privilege tax on pharmaceutical
15 services provided for in Article 1 of Chapter 26B, commencing
16 at Section 40-26B-1, due after August 30, 2016. Beginning
17 October 1, 2016, monthly credits shall be allowed to the
18 pharmaceutical service providers that remitted the
19 supplemental privilege tax ~~until tax amounts are credited in~~
20 ~~full~~ through September 20, 2018.

21 "(b) On or after October 1, 2018, a pharmaceutical
22 service provider who is entitled to a credit under subsection
23 (a) and has unused credit remaining shall be entitled to a
24 refund of the remaining credit owed to the provider, without
25 interest, upon petition to the department. The petition shall
26 be made no later than October 1, 2020. The department shall
27 establish procedures to implement this subsection."

1 Section 2. This act shall become effective
2 immediately following its passage and approval by the
3 Governor, or its otherwise becoming law.