

2018 Second Extraordinary Session

HOUSE BILL NO. 27

BY REPRESENTATIVE LANCE HARRIS

TAX/SALES-USE, STATE: Provides for the rate and base for state sales and use taxes  
(Item #22)

1 AN ACT

2 To amend and reenact R.S. 47:301(16)(o)(i), 302(R)(2) and (3), (S), (T), (X)(introductory  
3 paragraph), (AA)(introductory paragraph), (AA)(29) through (31), and  
4 (AA)(32)(introductory paragraph), 321(H)(2) through (6), and (I) through (K), and  
5 321.1(A) through (C), (E), (F)(introductory paragraph), (F)(66)(introductory  
6 paragraph), (F)(67) through (69), and (F)(70)(introductory paragraph), and 331(P),  
7 (Q), and (R), to enact R.S. 47:302(BB) and (CC), 321(P) and (Q), 321.1(I) and (J),  
8 and 331(V) and (W), and to repeal R.S. 47:302(Y), 321(M), 331(T), and Act No. 395  
9 of the 2017 Regular Session of the Louisiana Legislature, relative to state sales and  
10 use taxes; to provide for the tax rate; to provide for the applicability of certain  
11 exclusions and exemptions applicable to certain taxes; to provide for effectiveness;  
12 and to provide for related matters.

13 Be it enacted by the Legislature of Louisiana:

14 Section 1. R.S. 47:301(16)(o)(i), 302(R)(2) and (3), (S), (T), (X)(introductory  
15 paragraph), (AA)(introductory paragraph), (AA)(29) through (31), and  
16 (AA)(32)(introductory paragraph), 321(H)(2) through (6), and (I) through (K), and 321.1(A)  
17 through (C), (E), (F)(introductory paragraph), (F)(66)(introductory paragraph), (F)(67)  
18 through (69), and (F)(70)(introductory paragraph), and 331(P), (Q), and (R) are hereby  
19 amended and reenacted and R.S. 47:302(BB) and (CC), 321(P) and (Q), 321.1(I) and (J), and  
20 331(V) and (W) are hereby enacted to read as follows:

1 §301. Definitions

2 As used in this Chapter the following words, terms, and phrases have the  
3 meanings ascribed to them in this Section, unless the context clearly indicates a  
4 different meaning:

5 \* \* \*

6 (16)

7 \* \* \*

8 ~~(o)(i) Solely for purposes of the imposition of the sales and use tax levied by~~  
9 ~~the state under R.S. 47:302, 321, and 331, the~~ The term "tangible personal property"  
10 shall not include machinery and equipment as defined in and subject to the  
11 requirements of R.S. 47:301(3)(i)(ii) which is purchased by a utility regulated by the  
12 Public Service Commission or the council of the City of New Orleans. For the  
13 purposes of this Paragraph, the term "utility" shall mean a person regulated by the  
14 Public Service Commission or the council of the City of New Orleans who is  
15 assigned a North American Industrial Classification System Code 22111, Electric  
16 Power Generation, as it existed in 2002. Such utility shall also be considered a  
17 "manufacturer" for purposes of R.S. 47:301(3)(i)(ii).

18 \* \* \*

19 §302. Imposition of tax

20 \* \* \*

21 R.

22 \* \* \*

23 (2) Notwithstanding any other provision of law to the contrary, including but  
24 not limited to any contrary provisions of this Chapter, the exemption provided for  
25 in R.S. 47:305(A)(2) and 305.25(A)(3) shall be applicable, operable, and effective  
26 from July 1, 2007, through June 30, 2018.

27 (3) Notwithstanding any other provision of law to the contrary which makes  
28 any sales and use tax exemption inapplicable, inoperable, and of no effect, the

1 exemption provided in R.S. 47:305(D)(2) shall be applicable, operable, and effective  
2 from January 1, 1998, through June 30, 2018.

3 \* \* \*

4 S. Notwithstanding any other provision of law to the contrary and  
5 specifically notwithstanding any provision enacted during the 2004 First  
6 Extraordinary Session which makes any sales and use tax exemption inapplicable,  
7 inoperable, and of no effect, the exemption provided in R.S. 47:305.51 shall be  
8 applicable, operable, and effective for all taxable periods beginning on or after July  
9 1, 2007, through June 30, 2018.

10 T. Notwithstanding any other provision of law to the contrary and  
11 specifically notwithstanding any provision enacted to make any sales and use tax  
12 exemption inapplicable, inoperable, and of no effect, the exemption provided in R.S.  
13 47:305(A)(5)(b) shall be applicable, operable, and effective from July 1, 2009,  
14 through June 30, 2018.

15 \* \* \*

16 X. Notwithstanding any other provision of law to the contrary, including but  
17 not limited to any contrary provisions of this Chapter, for the period April 1, 2016,  
18 ~~through July 1, 2018~~ June 30, 2018, there shall be no ~~exclusions and exemptions, and~~  
19 no exclusions as defined in R.S. 47:301, to the tax levied pursuant to the provisions  
20 of this Section except for exemptions and exclusions for sales or purchases of the  
21 following items and for those items enumerated in Subsection AA of this Section:

22 \* \* \*

23 AA. Notwithstanding any other provision of this Section to the contrary,  
24 except as provided in Paragraphs (29) through (32) of this Subsection, beginning  
25 July 1, 2016, through June 30, 2018, the following specific exclusions and  
26 exemptions shall be applicable to the tax levied pursuant to the provisions of this  
27 Section:

28 \* \* \*

1 (29) Beginning July 1, 2017, through June 30, 2018, the exclusion for  
2 surface preparation, painting, and coating fixed or rotary wing aircraft and certified  
3 transport category aircraft registered outside of this state, as provided in R.S.  
4 47:301(14)(g)(iv).

5 (30) Beginning July 1, 2017, through June 30, 2018, purchases and leases  
6 by qualifying radiation therapy treatment centers, as provided in R.S. 47:305.64.

7 (31) Beginning July 1, 2017, through June 30, 2018, sales and purchases of  
8 medical devices used by patients under the supervision of a physician, as provided  
9 in R.S. 47:305(D)(1)(s).

10 (32) Beginning October 1, 2017, through June 30, 2018:

11 \* \* \*

12 BB. Notwithstanding any other provision of law to the contrary, including  
13 but not limited to any contrary provisions of this Chapter, beginning July 1, 2018  
14 through June 30, 2023, there shall be no exemptions, and no exclusions as defined  
15 in R.S. 47:301, to the tax levied pursuant to the provisions of this Section, except for  
16 the retail sale, use, consumption, distribution, or storage for use or consumption of  
17 the following:

18 (1) Food for home consumption as defined in R.S. 47:305(D)(1)(n) through  
19 (r) on January 1, 2003, as provided in Article VII, Section 2.2 of the Constitution of  
20 Louisiana.

21 (2) Natural gas as provided in Article VII, Section 2.2 of the Constitution of  
22 Louisiana.

23 (3) Electricity as provided in Article VII, Section 2.2 of the Constitution of  
24 Louisiana.

25 (4) Water as provided in Article VII, Section 2.2 of the Constitution of  
26 Louisiana.

27 (5) Prescription drugs as provided in Article VII, Section 2.2 of the  
28 Constitution of Louisiana.

- 1           (6) Gasoline and other motor fuels subject to the state excise tax on fuel as  
2           provided in Article VII, Section 27 of the Constitution of Louisiana.
- 3           (7) Sales to the United States government and its agencies as provided in  
4           R.S. 47:301(10)(g).
- 5           (8) Other constructions permanently attached to the ground as provided in  
6           R.S. 47:301(16)(l).
- 7           (9) Installation charges on tangible personal property as provided in R.S.  
8           47:301(3)(a).
- 9           (10) Installation of oil field board roads as provided in R.S. 47:301(3)(c).
- 10          (11) Transactions involving the construction or overhaul of United States  
11          Navy vessels as provided in R.S. 47:301(7)(c) and (14)(h).
- 12          (12) Property purchased for exclusive use outside the state as provided in  
13          R.S. 47:305.10.
- 14          (13) Sales, leases, or rentals of tangible personal property paid by or under  
15          the provisions of Medicare as provided in R.S. 47:315.3.
- 16          (14) Sales of human tissue transplants as provided in R.S. 47:301(10)(d).
- 17          (15) Sales of raw agricultural commodities as provided in R.S.  
18          47:301(10)(e).
- 19          (16) Sales of food by a youth-serving organization chartered by the Congress  
20          of the United States as provided in R.S. 47:301(10)(h).
- 21          (17) Tangible personal property sold or donated to a food bank as provided  
22          in R.S. 47:301(10)(j) and (18)(a)(i).
- 23          (18) Materials used in the collection of blood as provided in R.S.  
24          47:301(16)(j).
- 25          (19) Aphaeresis kits and leuko reduction filters as provided in R.S.  
26          47:301(16)(k).
- 27          (20) Donations to schools and food banks from resale inventory as provided  
28          in R.S. 47:301(18)(a).

- 1           (21) Manufacturer's rebates on a new motor vehicle as provided in R.S.  
2           47:301(3)(e) and (13)(b).
- 3           (22) Leases or rentals of railroad rolling stock as provided in R.S.  
4           47:301(4)(k).
- 5           (23) Sales, purchases and leases of tangible personal property by free  
6           hospitals as provided in R.S. 47:301(7)(e), (10)(p), and (18)(c).
- 7           (24) Purchases by a nonprofit entity that sells donated goods as provided in  
8           R.S. 47:301(8)(f).
- 9           (25) Tangible personal property for resale as provided in R.S.  
10          47:301(10)(a)(i).
- 11          (26) Purchases of property for lease or rental as provided in R.S.  
12          47:301(10)(a)(iii) and (18)(a)(iii).
- 13          (27) Isolated or occasional sales of tangible personal property by a person  
14          not engaged in such business as provided in R.S. 47:301(1) and (10)(c)(ii)(bb).
- 15          (28) Use of a motor vehicle in Louisiana by a member of the active duty  
16          military as provided in R.S. 47:303(A)(3)(a) and 305.48.
- 17          (29) Purchases made under the Supplemental Nutrition Assistance Program  
18          through WIC Program Vouchers as provided in R.S. 47:305.46.
- 19          (30) An article traded in on the purchase of tangible personal property as  
20          provided in R.S. 47:301(13)(a).
- 21          (31) Donation of toys as provided in R.S. 47:301(10)(aa)(i) and (18)(m).
- 22          (32) Stocks, bonds, notes, and other obligations or securities as provided in  
23          R.S. 47:301(16)(b)(i).
- 24          (33) Credit for sales and use taxes paid to another state on tangible personal  
25          property imported in Louisiana as provided in R.S. 47:303(A)(3)(a).
- 26          (34) Work product of certain professionals as provided in R.S.  
27          47:301(16)(e).
- 28          (35) Purchases by a regionally accredited independent educational institution  
29          as provided in R.S. 47:301(8)(b).

- 1           (36) Sales through a coin-operated vending machine as provided in  
2           R.S.47:301(10)(b)(i).
- 3           (37) Purchases by a private postsecondary academic degree-granting  
4           institution as provided in R.S. 47:301(10)(cc) and (18)(n).
- 5           (38) Purchases of food items for school lunch and breakfast programs by a  
6           nonpublic elementary or secondary school as provided in R.S. 47:301(10)(dd).
- 7           (39) Funeral directing services as provided in R.S. 47:301(14)(j).
- 8           (40) Feed and feed additives for animals held for business purposes as  
9           provided in R.S. 47:305(A)(4).
- 10           (41) Farm products produced and used by farmers as provided in R.S.  
11           47:305(B).
- 12           (42) Sale of fertilizer and containers to farmers as provided in R.S.  
13           47:305(D)(1)(f).
- 14           (43) Sales of seeds for planting crops as provided in R.S. 47:305.3.
- 15           (44) Sales of pesticides for agricultural purposes as provided in R.S.  
16           47:305.8.
- 17           (45) The cost price for the printing of a news publication as provided in R.S.  
18           47:301(3)(h).
- 19           (46) Vehicle rentals to a warranty customer as provided in R.S. 47:301(7)(h).
- 20           (47) Leases or rentals of a crane and related equipment with an operator as  
21           provided in R.S. 47:301(7)(k).
- 22           (48) Sales by and to the state and its political subdivisions as provided in  
23           R.S. 47:301(8)(c).
- 24           (49) Sales of materials for further processing as provided in R.S.  
25           47:301(10)(c)(i)(aa).
- 26           (50) The sales price for new farm equipment used in poultry production as  
27           provided in R.S. 47:301(13)(c).
- 28           (51) A factory built home as provided in R.S. 47:301(16)(g).

1           (52) Any advertising service rendered by an advertising business as provided  
2           in R.S. 47:302(D).

3           (53) Sales of livestock, poultry, and other farm products direct from a farm  
4           as provided in R.S. 47:305(A)(1).

5           (54) Sales of livestock at a public sale sponsored by a breeders' or registry  
6           association or at a livestock auction market as provided in R.S. 47:305(A)(2).

7           (55) Sales of agricultural commodities by a person other than the producer,  
8           for use in further processing as provided in R.S. 47:305(A)(3).

9           (56) Transactions in interstate commerce and tangible personal property  
10          imported into this state, or produced or manufactured in this state, for export as  
11          provided in R.S. 47:305(E).

12          (57) Ships, vessels, barges, and related supplies as provided in R.S. 47:305.1.

13          (58) The sales price of new farm equipment, including polyroll tubing, as  
14          provided in R.S. 47:305.25.

15          (59) A truck and trailer if used at least eighty percent of the time in interstate  
16          commerce as provided in R.S. 47:305.50(A).

17          (60) Freight cars, piggyback trailers, and rail rolling stock, and railroad ties  
18          as provided in 47:305.45 and 305.50(F).

19          (61) Sales or purchases by a council on aging as provided in R.S. 47:305.66.

20          (62) Sales of pharmaceuticals administered to livestock for agricultural  
21          purposes as provided in R.S. 47:301(16)(f).

22          (63) Materials used in the production of crawfish and catfish as provided in  
23          R.S. 47:305(A)(5) and (6).

24          (64) Sales of room rentals by a camp or retreat facility owned by a nonprofit  
25          organization as provided in R.S. 47:301(6)(b).

26          (65) Sales of room rentals by a homeless shelter as provided in R.S.  
27          47:301(6)(c).



1           (66) Sales, leases, and rentals of tangible personal property to Boys State of  
2           Louisiana, Inc. and Girls State of Louisiana, Inc. as provided in R.S. 47:301(7)(g)  
3           and (10)(r).

4           (67) Sales or purchases of fire-fighting equipment by a volunteer fire  
5           department as provided in R.S. 47:301(10)(o).

6           (68) Sales to, and leases, rentals, and use of educational materials and  
7           equipment used for classroom instruction by a parochial and private elementary and  
8           secondary school that complies with the court order from the Dodd Brumfield  
9           decision and Section 501(c)(3) of the Internal Revenue Code as provided in R.S.  
10          47:301(7)(f), (10)(q)(ii), and (18)(e)(ii).

11          (69) Sales by a parochial and private elementary and secondary school that  
12          complies with the court order from the Dodd Brumfield decision and Section  
13          501(c)(3) of the Internal Revenue Code as provided in R.S. 47:301(10)(q)(i) and  
14          (18)(e)(i).

15          (70) Sales, as provided in R.S. 47:301(14)(b)(i), but only of admissions to  
16          an athletic and entertainment event held for or by an elementary or secondary school  
17          and membership fees or dues of a nonprofit, civic association.

18          (71) Sales or use of orthotic devices, prosthetic devices, hearing aids,  
19          eyeglasses, contact lenses, and wheelchairs prescribed by a physician, optometrist,  
20          or licensed chiropractor used exclusively by the patient for personal use as provided  
21          in R.S. 47:305(D)(1)(k).

22          (72) Sales or use of ostomy, colostomy, and ileostomy devices and  
23          equipment as provided in R.S. 47:305(D)(1)(l).

24          (73) Sales of medical devices as provided in R.S. 47:305(D)(1)(s).

25          (74) Sales of orthotic and prosthetic devices and restorative materials utilized  
26          and prescribed by dentists as provided in R.S. 47:305(D)(1)(t).

27          (75) Sales or use of adaptive driving equipment and motor vehicle  
28          modification prescribed for personal use as provided in R.S. 47:305(D)(1)(u).

1           (76) Sales or use of a meal by an educational institution, medical facility,  
2           mental institution, and an occasional meal furnished by an educational, religious, or  
3           medical organization as provided in R.S. 47:305(D)(2).

4           (77) Purchases or rentals of renal dialysis machines, parts, materials, and  
5           supplies for home use under a physician's prescription as provided in R.S. 47:305(G).

6           (78) Sales of admission to entertainment events by a Little Theater  
7           organization as provided in R.S. 47:305.6.

8           (79) Sales of admission to musical performances sponsored by a nonprofit  
9           organization as provided in R.S. 47:305.7.

10           (80) Sales of admissions to entertainment events sponsored by domestic  
11           nonprofit charitable, religious, and educational organizations as provided in R.S.  
12           47:305.13.

13           (81) Sales of admissions, parking fees, and sales of tangible personal  
14           property at events sponsored by domestic, civic, educational, historical, charitable,  
15           fraternal, or religious nonprofit organizations as provided in R.S. 47:305.14(A)(1).

16           (82) Sales of admissions and parking fees at fairs and festivals sponsored by  
17           nonprofit organizations as provided in R.S. 47:305.18.

18           (83) Purchases of fishing vessels, supplies, fuels, lubricants, and repairs for  
19           the vessels of licensed commercial fishermen as provided in R.S. 47:305.20.

20           (84) Sales of butane, propane, or other liquified petroleum gases for private,  
21           residential consumption as provided in R.S. 47:305.39.

22           (85) Sales and purchases by certain organizations that provide training for  
23           blind persons as provided in R.S. 47:305.15.

24           (86) Purchases and leases by qualified radiation therapy treatment centers as  
25           provided in R.S. 47:305.64.

26           (87) Sales of electricity for chlor-alkali manufacturing as provided in R.S.  
27           47:301(10)(c)(ii)(aa).

28           (88) Rentals or leases of certain oilfield property for re-lease or re-rental as  
29           provided in R.S. 47:301(7)(b).

1           (89) Sales of aircraft manufactured in Louisiana with a capacity in excess of  
2           eight persons as provided in R.S. 47:301(10)(m).

3           (90) Labor, materials, services, and supplies used for the repair, renovation,  
4           or conversion of drilling rig machinery and equipment which become component  
5           parts of a drilling rig used exclusively for exploration or development of minerals as  
6           provided in R.S. 47:301(14)(g)(iii).

7           (91) Repairs and materials used on drilling rigs and equipment used  
8           exclusively for exploration or development of minerals as provided in R.S. 47:305(I).

9           (92) Sales by thrift shops located on military installations as provided in R.S.  
10          47:305.14(A)(4).

11          (93) Leases or rentals of vessels for use in offshore mineral production or the  
12          provision of services to those engaged in mineral production as provided in R.S.  
13          47:305.19.

14          (94) Sales of gasohol as provided in R.S. 47:305.28.

15          (95) Sales or purchases by sheltered workshops as provided in R.S.  
16          47:305.38.

17          (96) Pharmaceutical samples manufactured or imported into the state free of  
18          charge as provided in R.S. 47:305.47.

19          (97) The exclusion for surface preparation, painting, and coating fixed or  
20          rotary wing aircraft and certified transport category aircraft registered outside of this  
21          state, as provided in R.S. 47:301(14)(g)(iv).

22          (98) Sales of platinum, gold, and silver bullion, that is valued solely upon its  
23          precious metal content, whether in coin or ingot form as provided in R.S.  
24          47:301(16)(b)(ii)(aa).

25          (99) Sales of certain numismatic coins as provided in R.S.  
26          47:301(16)(b)(ii)(bb) and (cc).

27          (100) Purchases, use, and lease of manufacturing machinery and equipment  
28          as provided in R.S. 47:301(3)(i), (13)(k) and (28)(a).

1               (101) Purchase of consumables by paper and wood manufacturers and  
2 loggers as provided in R.S. 47:301(3)(k).

3               (102) Sale and purchase of electricity as provided in R.S. 47:305(D)(1)(d)  
4 for use in production activity subject to the payment of state severance tax on  
5 production from a stripper well pursuant to R.S. 47:633(7)(c)(i) and (ii)(aa) and (bb).

6               (103) Purchase of machinery and equipment by a utility regulated by the  
7 Public Service Commission and the city of New Orleans as provided in R.S.  
8 47:301(16)(o).

9               CC. The provisions of Subsection BB shall supercede and control to the  
10 extent of conflict with any other provision of law beginning July 1, 2018 through  
11 June 30, 2023.

12                                               \*       \*       \*

13 §321. Imposition of tax

14                                               \*       \*       \*

15               H.

16                                               \*       \*       \*

17               (2) Notwithstanding any other provision of law to the contrary, including but  
18 not limited to any contrary provisions of this Chapter, the exemption provided for  
19 in R.S. 47:305(A)(2) and 305.25(A)(3) shall be applicable, operable, and effective  
20 from July 1, 2007, through June 30, 2018.

21               (3) Notwithstanding any other provision of the law or any other provision  
22 of this Chapter to the contrary, the exemption provided in R.S. 47:305(D)(1)(i) for  
23 new boats, vessels, or other water craft used as demonstrators shall be applicable,  
24 operable, and effective for all taxable periods beginning on or after July 1, 2009,  
25 through June 30, 2018.

26               (4) Notwithstanding any other provision of law to the contrary, including but  
27 not limited to any contrary provisions of this Chapter, the exemption provided for  
28 in R.S. 47:305.63 shall be applicable, operable, and effective from July 1, 2009,  
29 through June 30, 2018.

1 (5) Notwithstanding any other provision of law to the contrary, including but  
2 not limited to any contrary provisions of this Chapter, the exemption provided for  
3 in R.S. 47:305.64 shall be applicable, operable, and effective from July 1, 2009,  
4 through June 30, 2018.

5 (6) Notwithstanding any other provision of law to the contrary which makes  
6 any sales and use tax exemption inapplicable, inoperable, and of no effect, the  
7 exemption provided in R.S. 47:305(D)(2) shall be applicable, operable, and effective  
8 from January 1, 1998, through June 30, 2018.

9 I. Notwithstanding any other provision of law to the contrary and specifically  
10 notwithstanding any provision enacted during the 2004 First Extraordinary Session  
11 which makes any sales and use tax exemption inapplicable, inoperable, and of no  
12 effect, the exemption provided in R.S. 47:305.51 shall be applicable, operable, and  
13 effective for all taxable periods beginning on or after July 1, 2007, through June 30,  
14 2018.

15 J. Notwithstanding any other provision of law to the contrary and  
16 specifically notwithstanding any provision enacted to make any sales and use tax  
17 exemption inapplicable, inoperable, and of no effect, the exemption provided in R.S.  
18 47:305(A)(5)(b) shall be applicable, operable, and effective from July 1, 2009,  
19 through June 30, 2018.

20 K. Notwithstanding the provisions of Subsection H of this Section or any  
21 other provision of this Chapter to the contrary, for taxable periods beginning on or  
22 after July 1, 2008, through June 30, 2018, the exemptions to the tax levied by this  
23 Section for electric power or energy, natural gas, steam, and water shall be  
24 applicable, operative, and effective.

25 \* \* \*

26 P. Notwithstanding any other provision of law to the contrary, including but  
27 not limited to any contrary provisions of this Chapter, beginning July 1, 2018  
28 through June 30, 2023, there shall be no exemptions, and no exclusions as defined  
29 in R.S. 47:301, to the tax levied pursuant to the provisions of this Section, except for

1        the retail sale, use, consumption, distribution, or storage for use or consumption of  
2        the following:

3                (1) Food for home consumption as defined in R.S. 47:305(D)(1)(n) through  
4                (r) on January 1, 2003, as provided in Article VII, Section 2.2 of the Constitution of  
5                Louisiana.

6                (2) Natural gas as provided in Article VII, Section 2.2 of the Constitution of  
7                Louisiana.

8                (3) Electricity as provided in Article VII, Section 2.2 of the Constitution of  
9                Louisiana.

10               (4) Water as provided in Article VII, Section 2.2 of the Constitution of  
11               Louisiana.

12               (5) Prescription drugs as provided in Article VII, Section 2.2 of the  
13               Constitution of Louisiana.

14               (6) Gasoline and other motor fuels subject to the state excise tax on fuel as  
15               provided in Article VII, Section 27 of the Constitution of Louisiana.

16               (7) Sales to the United States government and its agencies as provided in  
17               R.S. 47:301(10)(g).

18               (8) Other constructions permanently attached to the ground as provided in  
19               R.S. 47:301(16)(l).

20               (9) Installation charges on tangible personal property as provided in R.S.  
21               47:301(3)(a).

22               (10) Installation of oil field board roads as provided in R.S. 47:301(3)(c).

23               (11) Transactions involving the construction or overhaul of United States  
24               Navy vessels as provided in R.S. 47:301(7)(c) and (14)(h).

25               (12) Property purchased for exclusive use outside the state as provided in  
26               R.S. 47:305.10.

27               (13) Sales, leases, or rentals of tangible personal property paid by or under  
28               the provisions of Medicare as provided in R.S. 47:315.3.

29               (14) Sales of human tissue transplants as provided in R.S. 47:301(10)(d).

- 1           (15) Sales of raw agricultural commodities as provided in R.S.  
2           47:301(10)(e).
- 3           (16) Sales of food by a youth-serving organization chartered by the Congress  
4           of the United States as provided in R.S. 47:301(10)(h).
- 5           (17) Tangible personal property sold or donated to a food bank as provided  
6           in R.S. 47:301(10)(j) and (18)(a)(i).
- 7           (18) Materials used in the collection of blood as provided in R.S.  
8           47:301(16)(j).
- 9           (19) Aphaeresis kits and leuko reduction filters as provided in R.S.  
10           47:301(16)(k).
- 11           (20) Donations to schools and food banks from resale inventory as provided  
12           in R.S. 47:301(18)(a).
- 13           (21) Manufacturer's rebates on a new motor vehicle as provided in R.S.  
14           47:301(3)(e) and (13)(b).
- 15           (22) Leases or rentals of railroad rolling stock as provided in R.S.  
16           47:301(4)(k).
- 17           (23) Sales, purchases and leases of tangible personal property by free  
18           hospitals as provided in R.S. 47:301(7)(e), (10)(p), and (18)(c).
- 19           (24) Purchases by a nonprofit entity that sells donated goods as provided in  
20           R.S. 47:301(8)(f).
- 21           (25) Tangible personal property for resale as provided in R.S.  
22           47:301(10)(a)(i).
- 23           (26) Purchases of property for lease or rental as provided in R.S.  
24           47:301(10)(a)(iii) and (18)(a)(iii).
- 25           (27) Isolated or occasional sales of tangible personal property by a person  
26           not engaged in such business as provided in R.S. 47:301(1) and (10)(c)(ii)(bb).
- 27           (28) Use of a motor vehicle in Louisiana by a member of the active duty  
28           military as provided in R.S. 47:303(A)(3)(a) and 305.48.

- 1           (29) Purchases made under the Supplemental Nutrition Assistance Program  
2           through WIC Program Vouchers as provided in R.S. 47:305.46.
- 3           (30) An article traded in on the purchase of tangible personal property as  
4           provided in R.S. 47:301(13)(a).
- 5           (31) Donation of toys as provided in R.S. 47:301(10)(aa)(i) and (18)(m).
- 6           (32) Stocks, bonds, notes, and other obligations or securities as provided in  
7           R.S. 47:301(16)(b)(i).
- 8           (33) Credit for sales and use taxes paid to another state on tangible personal  
9           property imported in Louisiana as provided in R.S. 47:303(A)(3)(a).
- 10          (34) Work product of certain professionals as provided in R.S.  
11          47:301(16)(e).
- 12          (35) Purchases by a regionally accredited independent educational institution  
13          as provided in R.S. 47:301(8)(b).
- 14          (36) Sales through a coin-operated vending machine as provided in  
15          R.S.47:301(10)(b)(i).
- 16          (37) Purchases by a private postsecondary academic degree-granting  
17          institution as provided in R.S. 47:301(10)(cc) and (18)(n).
- 18          (38) Purchases of food items for school lunch and breakfast programs by a  
19          nonpublic elementary or secondary school as provided in R.S. 47:301(10)(dd).
- 20          (39) Funeral directing services as provided in R.S. 47:301(14)(j).
- 21          (40) Feed and feed additives for animals held for business purposes as  
22          provided in R.S. 47:305(A)(4).
- 23          (41) Farm products produced and used by farmers as provided in R.S.  
24          47:305(B).
- 25          (42) Sale of fertilizer and containers to farmers as provided in R.S.  
26          47:305(D)(1)(f).
- 27          (43) Sales of seeds for planting crops as provided in R.S. 47:305.3.
- 28          (44) Sales of pesticides for agricultural purposes as provided in R.S.  
29          47:305.8.



- 1           (45) The cost price for the printing of a news publication as provided in R.S.  
2           47:301(3)(h).
- 3           (46) Vehicle rentals to a warranty customer as provided in R.S. 47:301(7)(h).
- 4           (47) Leases or rentals of a crane and related equipment with an operator as  
5           provided in R.S. 47:301(7)(k).
- 6           (48) Sales by and to the state and its political subdivisions as provided in  
7           R.S. 47:301(8)(c).
- 8           (49) Sales of materials for further processing as provided in R.S.  
9           47:301(10)(c)(i)(aa).
- 10           (50) The sales price for new farm equipment used in poultry production as  
11           provided in R.S. 47:301(13)(c).
- 12           (51) A factory built home as provided in R.S. 47:301(16)(g).
- 13           (52) Any advertising service rendered by an advertising business as provided  
14           in R.S. 47:302(D).
- 15           (53) Sales of livestock, poultry, and other farm products direct from a farm  
16           as provided in R.S. 47:305(A)(1).
- 17           (54) Sales of livestock at a public sale sponsored by a breeders' or registry  
18           association or at a livestock auction market as provided in R.S. 47:305(A)(2).
- 19           (55) Sales of agricultural commodities by a person other than the producer,  
20           for use in further processing as provided in R.S. 47:305(A)(3).
- 21           (56) Transactions in interstate commerce and tangible personal property  
22           imported into this state, or produced or manufactured in this state, for export as  
23           provided in R.S. 47:305(E).
- 24           (57) Ships, vessels, barges, and related supplies as provided in R.S. 47:305.1.
- 25           (58) The sales price of new farm equipment, including polyroll tubing, as  
26           provided in R.S. 47:305.25.
- 27           (59) A truck and trailer if used at least eighty percent of the time in interstate  
28           commerce as provided in R.S. 47:305.50(A).

1           (60) Freight cars, piggyback trailers, and rail rolling stock, and railroad ties  
2           as provided in 47:305.45 and 305.50(F).

3           (61) Sales or purchases by a council on aging as provided in R.S. 47:305.66.

4           (62) Sales of pharmaceuticals administered to livestock for agricultural  
5           purposes as provided in R.S. 47:301(16)(f).

6           (63) Materials used in the production of crawfish and catfish as provided in  
7           R.S. 47:305(A)(5) and (6).

8           (64) Sales of room rentals by a camp or retreat facility owned by a nonprofit  
9           organization as provided in R.S. 47:301(6)(b).

10           (65) Sales of room rentals by a homeless shelter as provided in R.S.  
11           47:301(6)(c).

12           (66) Sales, leases, and rentals of tangible personal property to Boys State of  
13           Louisiana, Inc. and Girls State of Louisiana, Inc. as provided in R.S. 47:301(7)(g)  
14           and (10)(r).

15           (67) Sales or purchases of fire-fighting equipment by a volunteer fire  
16           department as provided in R.S. 47:301(10)(o).

17           (68) Sales to, and leases, rentals, and use of educational materials and  
18           equipment used for classroom instruction by a parochial and private elementary and  
19           secondary school that complies with the court order from the Dodd Brumfield  
20           decision and Section 501(c)(3) of the Internal Revenue Code as provided in R.S.  
21           47:301(7)(f), (10)(q)(ii), and (18)(e)(ii).

22           (69) Sales by a parochial and private elementary and secondary school that  
23           complies with the court order from the Dodd Brumfield decision and Section  
24           501(c)(3) of the Internal Revenue Code as provided in R.S. 47:301(10)(q)(i) and  
25           (18)(e)(i).

26           (70) Sales, as provided in R.S. 47:301(14)(b)(i), but only of admissions to  
27           an athletic and entertainment event held for or by an elementary or secondary school  
28           and membership fees or dues of a nonprofit, civic association.

1           (71) Sales or use of orthotic devices, prosthetic devices, hearing aids,  
2           eyeglasses, contact lenses, and wheelchairs prescribed by a physician, optometrist,  
3           or licensed chiropractor used exclusively by the patient for personal use as provided  
4           in R.S. 47:305(D)(1)(k).

5           (72) Sales or use of ostomy, colostomy, and ileostomy devices and  
6           equipment as provided in R.S. 47:305(D)(1)(l).

7           (73) Sales of medical devices as provided in R.S. 47:305(D)(1)(s).

8           (74) Sales of orthotic and prosthetic devices and restorative materials utilized  
9           and prescribed by dentists as provided in R.S. 47:305(D)(1)(t).

10          (75) Sales or use of adaptive driving equipment and motor vehicle  
11          modification prescribed for personal use as provided in R.S. 47:305(D)(1)(u).

12          (76) Sales or use of a meal by an educational institution, medical facility,  
13          mental institution, and an occasional meal furnished by an educational, religious, or  
14          medical organization as provided in R.S. 47:305(D)(2).

15          (77) Purchases or rentals of renal dialysis machines, parts, materials, and  
16          supplies for home use under a physician's prescription as provided in R.S. 47:305(G).

17          (78) Sales of admission to entertainment events by a Little Theater  
18          organization as provided in R.S. 47:305.6.

19          (79) Sales of admission to musical performances sponsored by a nonprofit  
20          organization as provided in R.S. 47:305.7.

21          (80) Sales of admissions to entertainment events sponsored by domestic  
22          nonprofit charitable, religious, and educational organizations as provided in R.S.  
23          47:305.13.

24          (81) Sales of admissions, parking fees, and sales of tangible personal  
25          property at events sponsored by domestic, civic, educational, historical, charitable,  
26          fraternal, or religious nonprofit organizations as provided in R.S. 47:305.14(A)(1).

27          (82) Sales of admissions and parking fees at fairs and festivals sponsored by  
28          nonprofit organizations as provided in R.S. 47:305.18.

- 1           (83) Purchases of fishing vessels, supplies, fuels, lubricants, and repairs for  
2           the vessels of licensed commercial fishermen as provided in R.S. 47:305.20.
- 3           (84) Sales of butane, propane, or other liquified petroleum gases for private,  
4           residential consumption as provided in R.S. 47:305.39.
- 5           (85) Sales and purchases by certain organizations that provide training for  
6           blind persons as provided in R.S. 47:305.15.
- 7           (86) Purchases and leases by qualified radiation therapy treatment centers as  
8           provided in R.S. 47:305.64.
- 9           (87) Sales of electricity for chlor-alkali manufacturing as provided in R.S.  
10          47:301(10)(c)(ii)(aa).
- 11          (88) Rentals or leases of certain oilfield property for re-lease or re-rental as  
12          provided in R.S. 47:301(7)(b).
- 13          (89) Sales of aircraft manufactured in Louisiana with a capacity in excess of  
14          eight persons as provided in R.S. 47:301(10)(m).
- 15          (90) Labor, materials, services, and supplies used for the repair, renovation,  
16          or conversion of drilling rig machinery and equipment which become component  
17          parts of a drilling rig used exclusively for exploration or development of minerals as  
18          provided in R.S. 47:301(14)(g)(iii).
- 19          (91) Repairs and materials used on drilling rigs and equipment used  
20          exclusively for exploration of development of minerals as provided in R.S. 47:305(I).
- 21          (92) Sales by thrift shops located on military installations as provided in R.S.  
22          47:305.14(A)(4).
- 23          (93) Leases or rentals of vessels for use in offshore mineral production or the  
24          provision of services to those engaged in mineral production as provided in R.S.  
25          47:305.19.
- 26          (94) Sales of gasohol as provided in R.S. 47:305.28.
- 27          (95) Sales or purchases by sheltered workshops as provided in R.S.  
28          47:305.38.

1           (96) Pharmaceutical samples manufactured or imported into the state free of  
2           charge as provided in R.S. 47:305.47.

3           (97) The exclusion for surface preparation, painting, and coating fixed or  
4           rotary wing aircraft and certified transport category aircraft registered outside of this  
5           state, as provided in R.S. 47:301(14)(g)(iv).

6           (98) Sales of platinum, gold, and silver bullion, that is valued solely upon its  
7           precious metal content, whether in coin or ingot form as provided in R.S.  
8           47:301(16)(b)(ii)(aa).

9           (99) Sales of certain numismatic coins as provided in R.S.  
10          47:301(16)(b)(ii)(bb) and (cc).

11          (100) Purchases, use, and lease of manufacturing machinery and equipment  
12          as provided in R.S. 47:301(3)(i), (13)(k) and (28)(a).

13          (101) The sale or use of steam, water, electric power or energy, natural gas,  
14          or energy sources as provided in R.S. 47:305(D)(1)(b), (c), (d), (g), and (h).

15          (102) Purchase of consumables by paper and wood manufacturers and  
16          loggers as provided in R.S. 47:301(3)(k).

17          (103) Sale and purchase of electricity as provided in R.S. 47:305(D)(1)(d)  
18          for use in production activity subject to the payment of state severance tax on  
19          production from a stripper well pursuant to R.S. 47:633(7)(c)(i) and (ii)(aa) and (bb).

20          (104) Purchase of machinery and equipment by a utility regulated by the  
21          Public Service Commission and the city of New Orleans as provided in R.S.  
22          47:301(16)(o).

23          Q. The provisions of Subsection P shall supercede and control to the extent  
24          of conflict with any other provision of law beginning July 1, 2018 through June 30,  
25          2023.

26          §321.1. Imposition of tax

27                 A. In addition to the tax levied by R.S. 47:302(A), 321(A), and 331(A) and  
28                 collected under the provisions of Chapter 2 of this Subtitle, there is hereby levied an  
29                 additional tax upon the sale at retail, the use, the consumption, the distribution, and

1 the storage for use or consumption in this state of each item or article of tangible  
2 personal property as defined in Chapter 2 of this Subtitle. The levy of said tax shall  
3 be as follows:

4 (1) At the rate of one third of one percent of the sales price of each item or  
5 article of tangible personal property when sold at retail in this state, the tax to be  
6 computed on gross sales for the purpose of remitting the amount of tax to the state,  
7 and to include each and every retail sale.

8 (2) At the rate of one third of one percent of the cost price of each item or  
9 article of tangible personal property when the same is not sold but is used, consumed,  
10 distributed, or stored for use or consumption in this state, provided that there shall  
11 be no duplication of the tax.

12 B. In addition to the tax levied by R.S. 47:302(B), 321(B), and 331(B) and  
13 collected under the provisions of Chapter 2 of this Subtitle, there is hereby levied a  
14 tax upon the lease or rental within this state of each item or article of tangible  
15 personal property, as defined by Chapter 2 of this Subtitle; the levy of the tax to be  
16 as follows:

17 (1) At the rate of one third of one percent of the gross proceeds derived from  
18 the lease or rental of tangible personal property, as defined in Chapter 2 of this  
19 Subtitle, where the lease or rental of such property is in an established business, or  
20 part of an established business, or the same is incidental or germane to the business.

21 (2) At the rate of one third of one percent of the monthly lease or rental price  
22 paid by a lessee or rentee, or contracted or agreed to be paid by a lessee or rentee to  
23 the owner of the tangible personal property.

24 C. In addition to the tax levied on sales of services by R.S. 47:302(C),  
25 321(C), and 331(C) and collected under the provisions of Chapter 2 of this Subtitle,  
26 there is hereby levied a tax upon all sales of services in this state, as those services  
27 are defined by Chapter 2 of this Subtitle, at the rate of one third of one percent of the  
28 amounts paid or charged for the services.

29 \* \* \*

1 E. The provisions of this Section shall be inapplicable, inoperative, and of  
2 no effect after June 30, ~~2018~~ 2023.

3 F. Notwithstanding any other provision of law to the contrary, including but  
4 not limited to any contrary provision of this Chapter, beginning April 1, 2016,  
5 through June 30, 2018, there shall be no exemptions, ~~or~~ and no exclusions as defined  
6 in R.S. 47:301<sub>2</sub>, to the tax levied pursuant to the provisions of this Section, except for  
7 the sales or purchases of the following items:

8 \* \* \*

9 (66) Beginning July 1, 2016, through June 30, 2018, in addition to those  
10 exclusions and exemptions provided for in Paragraphs (1) through (65) of this  
11 Subsection, the following exclusions and exemptions shall be allowable for purposes  
12 of the tax levied pursuant to the provisions of this Section:

13 \* \* \*

14 (67) Beginning July 1, 2017, through June 30, 2018, in addition to those  
15 exclusions and exemptions provided for in Paragraphs (1) through (66) of this  
16 Subsection, the exclusion for surface preparation, painting, and coating fixed or  
17 rotary wing aircraft and certified transport category aircraft registered outside of this  
18 state, as provided in R.S. 47:301(14)(g)(iv).

19 (68) Beginning July 1, 2017, through June 30, 2018, purchases and leases by  
20 qualifying radiation therapy treatment centers, as provided in R.S. 47:305.64.

21 (69) Beginning July 1, 2017, through June 30, 2018, sales and purchases of  
22 medical devices used by patients under the supervision of a physician, as provided  
23 in R.S. 47:305(D)(1)(s).

24 (70) Beginning October 1, 2017, through June 30, 2018:

25 \* \* \*

26 I. Notwithstanding any other provision of law to the contrary, including but  
27 not limited to any contrary provisions of this Chapter, beginning July 1, 2018  
28 through June 30, 2023, there shall be no exemptions, and no exclusions as defined  
29 in R.S. 47:301, to the tax levied pursuant to the provisions of this Section, except for

1 the retail sale, use, consumption, distribution, or storage for use or consumption of  
2 the following:

3 (1) Food for home consumption as defined in R.S. 47:305(D)(1)(n) through  
4 (r) on January 1, 2003, as provided in Article VII, Section 2.2 of the Constitution of  
5 Louisiana.

6 (2) Natural gas as provided in Article VII, Section 2.2 of the Constitution of  
7 Louisiana.

8 (3) Electricity as provided in Article VII, Section 2.2 of the Constitution of  
9 Louisiana.

10 (4) Water as provided in Article VII, Section 2.2 of the Constitution of  
11 Louisiana.

12 (5) Prescription drugs as provided in Article VII, Section 2.2 of the  
13 Constitution of Louisiana.

14 (6) Gasoline and other motor fuels subject to the state excise tax on fuel as  
15 provided in Article VII, Section 27 of the Constitution of Louisiana.

16 (7) Sales to the United States government and its agencies as provided in  
17 R.S. 47:301(10)(g).

18 (8) Other constructions permanently attached to the ground as provided in  
19 R.S. 47:301(16)(l).

20 (9) Installation charges on tangible personal property as provided in R.S.  
21 47:301(3)(a).

22 (10) Installation of oil field board roads as provided in R.S. 47:301(3)(c).

23 (11) Transactions involving the construction or overhaul of United States  
24 Navy vessels as provided in R.S. 47:301(7)(c) and (14)(h).

25 (12) Property purchased for exclusive use outside the state as provided in  
26 R.S. 47:305.10.

27 (13) Sales, leases, or rentals of tangible personal property paid by or under  
28 the provisions of Medicare as provided in R.S. 47:315.3.

29 (14) Sales of human tissue transplants as provided in R.S. 47:301(10)(d).



- 1           (15) Sales of raw agricultural commodities as provided in R.S.  
2           47:301(10)(e).
- 3           (16) Sales of food by a youth-serving organization chartered by the Congress  
4           of the United States as provided in R.S. 47:301(10)(h).
- 5           (17) Tangible personal property sold or donated to a food bank as provided  
6           in R.S. 47:301(10)(j) and (18)(a)(i).
- 7           (18) Materials used in the collection of blood as provided in R.S.  
8           47:301(16)(j).
- 9           (19) Aphaeresis kits and leuko reduction filters as provided in R.S.  
10           47:301(16)(k).
- 11           (20) Donations to schools and food banks from resale inventory as provided  
12           in R.S. 47:301(18)(a).
- 13           (21) Manufacturer's rebates on a new motor vehicle as provided in R.S.  
14           47:301(3)(e) and (13)(b).
- 15           (22) Leases or rentals of railroad rolling stock as provided in R.S.  
16           47:301(4)(k).
- 17           (23) Sales, purchases and leases of tangible personal property by free  
18           hospitals as provided in R.S. 47:301(7)(e), (10)(p), and (18)(c).
- 19           (24) Purchases by a nonprofit entity that sells donated goods as provided in  
20           R.S. 47:301(8)(f).
- 21           (25) Tangible personal property for resale as provided in R.S.  
22           47:301(10)(a)(i).
- 23           (26) Purchases of property for lease or rental as provided in R.S.  
24           47:301(10)(a)(iii) and (18)(a)(iii).
- 25           (27) Isolated or occasional sales of tangible personal property by a person  
26           not engaged in such business as provided in R.S. 47:301(1) and (10)(c)(ii)(bb).
- 27           (28) Use of a motor vehicle in Louisiana by a member of the active duty  
28           military as provided in R.S. 47:303(A)(3)(a) and 305.48.

- 1           (29) Purchases made under the Supplemental Nutrition Assistance Program  
2           through WIC Program Vouchers as provided in R.S. 47:305.46.
- 3           (30) An article traded in on the purchase of tangible personal property as  
4           provided in R.S. 47:301(13)(a).
- 5           (31) Donation of toys as provided in R.S. 47:301(10)(aa)(i) and (18)(m).
- 6           (32) Stocks, bonds, notes, and other obligations or securities as provided in  
7           R.S. 47:301(16)(b)(i).
- 8           (33) Credit for sales and use taxes paid to another state on tangible personal  
9           property imported in Louisiana as provided in R.S. 47:303(A)(3)(a).
- 10          (34) Work product of certain professionals as provided in R.S.  
11          47:301(16)(e).
- 12          (35) Purchases by a regionally accredited independent educational institution  
13          as provided in R.S. 47:301(8)(b).
- 14          (36) Sales through a coin-operated vending machine as provided in  
15          R.S.47:301(10)(b)(i).
- 16          (37) Purchases by a private postsecondary academic degree-granting  
17          institution as provided in R.S. 47:301(10)(cc) and(18)(n).
- 18          (38) Purchases of food items for school lunch and breakfast programs by a  
19          nonpublic elementary or secondary school as provided in R.S. 47:301(10)(dd).
- 20          (39) Funeral directing services as provided in R.S. 47:301(14)(j).
- 21          (40) Feed and feed additives for animals held for business purposes as  
22          provided in R.S. 47:305(A)(4).
- 23          (41) Farm products produced and used by farmers as provided in R.S.  
24          47:305(B).
- 25          (42) Sale of fertilizer and containers to farmers as provided in R.S.  
26          47:305(D)(1)(f).
- 27          (43) Sales of seeds for planting crops as provided in R.S. 47:305.3.
- 28          (44) Sales of pesticides for agricultural purposes as provided in R.S.  
29          47:305.8.

- 1           (45) The cost price for the printing of a news publication as provided in R.S.  
2           47:301(3)(h).
- 3           (46) Vehicle rentals to a warranty customer as provided in R.S. 47:301(7)(h).
- 4           (47) Leases or rentals of a crane and related equipment with an operator as  
5           provided in R.S. 47:301(7)(k).
- 6           (48) Sales by and to the state and its political subdivisions as provided in  
7           R.S. 47:301(8)(c).
- 8           (49) Sales of materials for further processing as provided in R.S.  
9           47:301(10)(c)(i)(aa).
- 10           (50) The sales price for new farm equipment used in poultry production as  
11           provided in R.S. 47:301(13)(c).
- 12           (51) A factory built home as provided in R.S. 47:301(16)(g).
- 13           (52) Any advertising service rendered by an advertising business as provided  
14           in R.S. 47:302(D).
- 15           (53) Sales of livestock, poultry, and other farm products direct from a farm  
16           as provided in R.S. 47:305(A)(1).
- 17           (54) Sales of livestock at a public sale sponsored by a breeders' or registry  
18           association or at a livestock auction market as provided in R.S. 47:305(A)(2).
- 19           (55) Sales of agricultural commodities by a person other than the producer,  
20           for use in further processing as provided in R.S. 47:305(A)(3).
- 21           (56) Transactions in interstate commerce and tangible personal property  
22           imported into this state, or produced or manufactured in this state, for export as  
23           provided in R.S. 47:305(E).
- 24           (57) Ships, vessels, barges, and related supplies as provided in R.S. 47:305.1.
- 25           (58) The sales price of new farm equipment, including polyroll tubing, as  
26           provided in R.S. 47:305.25.
- 27           (59) A truck and trailer if used at least eighty percent of the time in interstate  
28           commerce as provided in R.S. 47:305.50(A).

1           (60) Freight cars, piggyback trailers, and rail rolling stock, and railroad ties  
2           as provided in 47:305.45 and 305.50(F).

3           (61) Sales or purchases by a council on aging as provided in R.S. 47:305.66.

4           (62) Sales of pharmaceuticals administered to livestock for agricultural  
5           purposes as provided in R.S. 47:301(16)(f).

6           (63) Materials used in the production of crawfish and catfish as provided in  
7           R.S. 47:305(A)(5) and (6).

8           (64) Sales of room rentals by a camp or retreat facility owned by a nonprofit  
9           organization as provided in R.S. 47:301(6)(b).

10          (65) Sales of room rentals by a homeless shelter as provided in R.S.  
11          47:301(6)(c).

12          (66) Sales, leases, and rentals of tangible personal property to Boys State of  
13          Louisiana, Inc. and Girls State of Louisiana, Inc. as provided in R.S. 47:301(7)(g)  
14          and (10)(r).

15          (67) Sales or purchases of fire-fighting equipment by a volunteer fire  
16          department as provided in R.S. 47:301(10)(o).

17          (68) Sales to, and leases, rentals, and use of educational materials and  
18          equipment used for classroom instruction by a parochial and private elementary and  
19          secondary school that complies with the court order from the Dodd Brumfield  
20          decision and Section 501(c)(3) of the Internal Revenue Code as provided in R.S.  
21          47:301(7)(f), (10)(q)(ii), and (18)(e)(ii).

22          (69) Sales by a parochial and private elementary and secondary school that  
23          complies with the court order from the Dodd Brumfield decision and Section  
24          501(c)(3) of the Internal Revenue Code as provided in R.S. 47:301(10)(q)(i) and  
25          (18)(e)(i).

26          (70) Sales, as provided in R.S. 47:301(14)(b)(i), but only of admissions to  
27          an athletic and entertainment event held for or by an elementary or secondary school  
28          and membership fees or dues of a nonprofit, civic association.

1           (71) Sales or use of orthotic devices, prosthetic devices, hearing aids,  
2           eyeglasses, contact lenses, and wheelchairs prescribed by a physician, optometrist,  
3           or licensed chiropractor used exclusively by the patient for personal use as provided  
4           in R.S. 47:305(D)(1)(k).

5           (72) Sales or use of ostomy, colostomy, and ileostomy devices and  
6           equipment as provided in R.S. 47:305(D)(1)(l).

7           (73) Sales of medical devices as provided in R.S. 47:305(D)(1)(s).

8           (74) Sales of orthotic and prosthetic devices and restorative materials utilized  
9           and prescribed by dentists as provided in R.S. 47:305(D)(1)(t).

10          (75) Sales or use of adaptive driving equipment and motor vehicle  
11          modification prescribed for personal use as provided in R.S. 47:305(D)(1)(u).

12          (76) Sales or use of a meal by an educational institution, medical facility,  
13          mental institution, and an occasional meal furnished by an educational, religious, or  
14          medical organization as provided in R.S. 47:305(D)(2).

15          (77) Purchases or rentals of renal dialysis machines, parts, materials, and  
16          supplies for home use under a physician's prescription as provided in R.S. 47:305(G).

17          (78) Sales of admission to entertainment events by a Little Theater  
18          organization as provided in R.S. 47:305.6.

19          (79) Sales of admission to musical performances sponsored by a nonprofit  
20          organization as provided in R.S. 47:305.7.

21          (80) Sales of admissions to entertainment events sponsored by domestic  
22          nonprofit charitable, religious, and educational organizations as provided in R.S.  
23          47:305.13.

24          (81) Sales of admissions, parking fees, and sales of tangible personal  
25          property at events sponsored by domestic, civic, educational, historical, charitable,  
26          fraternal, or religious nonprofit organizations as provided in R.S. 47:305.14(A)(1).

27          (82) Sales of admissions and parking fees at fairs and festivals sponsored by  
28          nonprofit organizations as provided in R.S. 47:305.18.

- 1           (83) Purchases of fishing vessels, supplies, fuels, lubricants, and repairs for  
2           the vessels of licensed commercial fishermen as provided in R.S. 47:305.20.
- 3           (84) Sales of butane, propane, or other liquified petroleum gases for private,  
4           residential consumption as provided in R.S. 47:305.39.
- 5           (85) Sales and purchases by certain organizations that provide training for  
6           blind persons as provided in R.S. 47:305.15.
- 7           (86) Purchases and leases by qualified radiation therapy treatment centers as  
8           provided in R.S. 47:305.64.
- 9           (87) Sales of electricity for chlor-alkali manufacturing as provided in R.S.  
10          47:301(10)(c)(ii)(aa).
- 11          (88) Rentals or leases of certain oilfield property for re-lease or re-rental as  
12          provided in R.S. 47:301(7)(b).
- 13          (89) Sales of aircraft manufactured in Louisiana with a capacity in excess of  
14          eight persons as provided in R.S. 47:301(10)(m).
- 15          (90) Labor, materials, services, and supplies used for the repair, renovation,  
16          or conversion of drilling rig machinery and equipment which become component  
17          parts of a drilling rig used exclusively for exploration or development of minerals as  
18          provided in R.S. 47:301(14)(g)(iii).
- 19          (91) Repairs and materials used on drilling rigs and equipment used  
20          exclusively for exploration of development of minerals as provided in R.S. 47:305(I).
- 21          (92) Sales by thrift shops located on military installations as provided in R.S.  
22          47:305.14(A)(4).
- 23          (93) Leases or rentals of vessels for use in offshore mineral production or the  
24          provision of services to those engaged in mineral production as provided in R.S.  
25          47:305.19.
- 26          (94) Sales of gasohol as provided in R.S. 47:305.28.
- 27          (95) Sales or purchases by sheltered workshops as provided in R.S.  
28          47:305.38.

1           (96) Pharmaceutical samples manufactured or imported into the state free of  
2           charge as provided in R.S. 47:305.47.

3           (97) The exclusion for surface preparation, painting, and coating fixed or  
4           rotary wing aircraft and certified transport category aircraft registered outside of this  
5           state, as provided in R.S. 47:301(14)(g)(iv).

6           (98) Sales of platinum, gold, and silver bullion, that is valued solely upon its  
7           precious metal content, whether in coin or ingot form as provided in R.S.  
8           47:301(16)(b)(ii)(aa).

9           (99) Sales of certain numismatic coins as provided in R.S.  
10           47:301(16)(b)(ii)(bb) and (cc).

11           (100) Purchases, use, and lease of manufacturing machinery and equipment  
12           as provided in R.S. 47:301(3)(i), (13)(k) and (28)(a).

13           (101) Sale or purchase of steam, water, electric power or energy, natural gas,  
14           or energy sources as provided in R.S. 47:305(D)(1)(b), (c), (d), (g), and (h).

15           (102) Purchase of consumables by paper and wood manufacturers and  
16           loggers as provided in R.S. 47:301(3)(k).

17           (103) Sale and purchase of electricity as provided in R.S. 47:305(D)(1)(d)  
18           for use in production activity subject to the payment of state severance tax on  
19           production from a stripper well pursuant to R.S. 47:633(7)(c)(i) and (ii)(aa) and (bb).

20           (104) Purchase of machinery and equipment by a utility regulated by the  
21           Public Service Commission and the city of New Orleans as provided in R.S.  
22           47:301(16)(o).

23           J. The provisions of Subsection I shall supercede and control to the extent  
24           of conflict with any other provision of law beginning July 1, 2018 through June 30,  
25           2023.

26                                   \*     \*     \*

27           §331. Imposition of tax

28                                   \*     \*     \*

1 P.(1) For the period July 1, 2004, through ~~April 1, 2019~~ June 30, 2018, the  
2 exemptions to the tax levied by this Section for sales of steam, water, electric power,  
3 or energy, and natural gas shall be inapplicable, inoperable, and of no effect as to the  
4 tax levied by this Section.

5 (2) Notwithstanding any other provision of law to the contrary, including but  
6 not limited to any contrary provisions of this Chapter, the exemption provided for  
7 in R.S. 47:305(A)(2) and 305.25(A)(3) shall be applicable, operable, and effective  
8 from July 1, 2007, through June 30, 2018.

9 (3) Notwithstanding any other provision of law to the contrary which makes  
10 any sales and use tax exemption inapplicable, inoperable, and of no effect, the  
11 exemption provided in R.S. 47:305(D)(2) shall be applicable, operable, and effective  
12 from January 1, 1998, through June 30, 2018.

13 Q. Notwithstanding any other provision of the law to the contrary and  
14 specifically notwithstanding any provision enacted during the 2004 First  
15 Extraordinary Session which makes any sales and use tax exemption inapplicable,  
16 inoperable, and of no effect, the exemption provided in R.S. 47:305.51 shall be  
17 applicable, operable, and effective for all taxable periods beginning on or after July  
18 1, 2007, through March 31, 2016, ~~and for all taxable periods on and after April 1,~~  
19 ~~2019~~.

20 R. Notwithstanding any other provision of law to the contrary and  
21 specifically notwithstanding any provision which is enacted to make any sales and  
22 use tax exemption inapplicable, inoperable, and of no effect, the exemption provided  
23 in R.S. 47:305(A)(5)(b) shall be applicable, operable, and effective from July 1,  
24 2009, through June 30, 2018.

25 \* \* \*

26 V. Notwithstanding any other provision of law to the contrary, including but  
27 not limited to any contrary provisions of this Chapter, beginning July 1, 2018  
28 through June 30, 2023, there shall be no exemptions, and no exclusions as defined  
29 in R.S. 47:301, to the tax levied pursuant to the provisions of this Section, except for



1 the retail sale, use, consumption, distribution, or storage for use or consumption of  
2 the following:

3 (1) Food for home consumption as defined in R.S. 47:305(D)(1)(n) through  
4 (r) on January 1, 2003, as provided in Article VII, Section 2.2 of the Constitution of  
5 Louisiana.

6 (2) Natural gas as provided in Article VII, Section 2.2 of the Constitution of  
7 Louisiana.

8 (3) Electricity as provided in Article VII, Section 2.2 of the Constitution of  
9 Louisiana.

10 (4) Water as provided in Article VII, Section 2.2 of the Constitution of  
11 Louisiana.

12 (5) Prescription drugs as provided in Article VII, Section 2.2 of the  
13 Constitution of Louisiana.

14 (6) Gasoline and other motor fuels subject to the state excise tax on fuel as  
15 provided in Article VII, Section 27 of the Constitution of Louisiana.

16 (7) Sales to the United States government and its agencies as provided in  
17 R.S. 47:301(10)(g).

18 (8) Other constructions permanently attached to the ground as provided in  
19 R.S. 47:301(16)(l).

20 (9) Installation charges on tangible personal property as provided in R.S.  
21 47:301(3)(a).

22 (10) Installation of oil field board roads as provided in R.S. 47:301(3)(c).

23 (11) Transactions involving the construction or overhaul of United States  
24 Navy vessels as provided in R.S. 47:301(7)(c) and (14)(h).

25 (12) Property purchased for exclusive use outside the state as provided in  
26 R.S. 47:305.10.

27 (13) Sales, leases, or rentals of tangible personal property paid by or under  
28 the provisions of Medicare as provided in R.S. 47:315.3.

29 (14) Sales of human tissue transplants as provided in R.S. 47:301(10)(d).

- 1           (15) Sales of raw agricultural commodities as provided in R.S.  
2           47:301(10)(e).
- 3           (16) Sales of food by a youth-serving organization chartered by the Congress  
4           of the United States as provided in R.S. 47:301(10)(h).
- 5           (17) Tangible personal property sold or donated to a food bank as provided  
6           in R.S. 47:301(10)(j) and (18)(a)(i).
- 7           (18) Materials used in the collection of blood as provided in R.S.  
8           47:301(16)(j).
- 9           (19) Aphaeresis kits and leuko reduction filters as provided in R.S.  
10           47:301(16)(k).
- 11           (20) Donations to schools and food banks from resale inventory as provided  
12           in R.S. 47:301(18)(a).
- 13           (21) Manufacturer's rebates on a new motor vehicle as provided in R.S.  
14           47:301(3)(e) and (13)(b).
- 15           (22) Leases or rentals of railroad rolling stock as provided in R.S.  
16           47:301(4)(k).
- 17           (23) Sales, purchases and leases of tangible personal property by free  
18           hospitals as provided in R.S. 47:301(7)(e), (10)(p), and (18)(c).
- 19           (24) Purchases by a nonprofit entity that sells donated goods as provided in  
20           R.S. 47:301(8)(f).
- 21           (25) Tangible personal property for resale as provided in R.S.  
22           47:301(10)(a)(i).
- 23           (26) Purchases of property for lease or rental as provided in R.S.  
24           47:301(10)(a)(iii) and (18)(a)(iii).
- 25           (27) Isolated or occasional sales of tangible personal property by a person  
26           not engaged in such business as provided in R.S. 47:301(1) and (10)(c)(ii)(bb).
- 27           (28) Use of a motor vehicle in Louisiana by a member of the active duty  
28           military as provided in R.S. 47:303(A)(3)(a) and 305.48.

- 1           (29) Purchases made under the Supplemental Nutrition Assistance Program  
2           through WIC Program Vouchers as provided in R.S. 47:305.46.
- 3           (30) An article traded in on the purchase of tangible personal property as  
4           provided in R.S. 47:301(13)(a).
- 5           (31) Donation of toys as provided in R.S. 47:301(10)(aa)(i) and (18)(m).
- 6           (32) Stocks, bonds, notes, and other obligations or securities as provided in  
7           R.S. 47:301(16)(b)(i).
- 8           (33) Credit for sales and use taxes paid to another state on tangible personal  
9           property imported in Louisiana as provided in R.S. 47:303(A)(3)(a).
- 10          (34) Work product of certain professionals as provided in R.S.  
11          47:301(16)(e).
- 12          (35) Purchases by a regionally accredited independent educational institution  
13          as provided in R.S. 47:301(8)(b).
- 14          (36) Sales through a coin-operated vending machine as provided in  
15          R.S.47:301(10)(b)(i).
- 16          (37) Purchases by a private postsecondary academic degree-granting  
17          institution as provided in R.S. 47:301(10)(cc) and(18)(n).
- 18          (38) Purchases of food items for school lunch and breakfast programs by a  
19          nonpublic elementary or secondary school as provided in R.S. 47:301(10)(dd).
- 20          (39) Funeral directing services as provided in R.S. 47:301(14)(j).
- 21          (40) Feed and feed additives for animals held for business purposes as  
22          provided in R.S. 47:305(A)(4).
- 23          (41) Farm products produced and used by farmers as provided in R.S.  
24          47:305(B).
- 25          (42) Sale of fertilizer and containers to farmers as provided in R.S.  
26          47:305(D)(1)(f).
- 27          (43) Sales of seeds for planting crops as provided in R.S. 47:305.3.
- 28          (44) Sales of pesticides for agricultural purposes as provided in R.S.  
29          47:305.8.

- 1           (45) The cost price for the printing of a news publication as provided in R.S.  
2           47:301(3)(h).
- 3           (46) Vehicle rentals to a warranty customer as provided in R.S. 47:301(7)(h).
- 4           (47) Leases or rentals of a crane and related equipment with an operator as  
5           provided in R.S. 47:301(7)(k).
- 6           (48) Sales by and to the state and its political subdivisions as provided in  
7           R.S. 47:301(8)(c).
- 8           (49) Sales of materials for further processing as provided in R.S.  
9           47:301(10)(c)(i)(aa).
- 10           (50) The sales price for new farm equipment used in poultry production as  
11           provided in R.S. 47:301(13)(c).
- 12           (51) A factory built home as provided in R.S. 47:301(16)(g).
- 13           (52) Any advertising service rendered by an advertising business as provided  
14           in R.S. 47:302(D).
- 15           (53) Sales of livestock, poultry, and other farm products direct from a farm  
16           as provided in R.S. 47:305(A)(1).
- 17           (54) Sales of livestock at a public sale sponsored by a breeders' or registry  
18           association or at a livestock auction market as provided in R.S. 47:305(A)(2).
- 19           (55) Sales of agricultural commodities by a person other than the producer,  
20           for use in further processing as provided in R.S. 47:305(A)(3).
- 21           (56) Transactions in interstate commerce and tangible personal property  
22           imported into this state, or produced or manufactured in this state, for export as  
23           provided in R.S. 47:305(E).
- 24           (57) Ships, vessels, barges, and related supplies as provided in R.S. 47:305.1.
- 25           (58) The sales price of new farm equipment, including polyroll tubing, as  
26           provided in R.S. 47:305.25.
- 27           (59) A truck and trailer if used at least eighty percent of the time in interstate  
28           commerce as provided in R.S. 47:305.50(A).

1           (60) Freight cars, piggyback trailers, and rail rolling stock, and railroad ties  
2           as provided in 47:305.45 and 305.50(F).

3           (61) Sales or purchases by a council on aging as provided in R.S. 47:305.66.

4           (62) Sales of pharmaceuticals administered to livestock for agricultural  
5           purposes as provided in R.S. 47:301(16)(f).

6           (63) Materials used in the production of crawfish and catfish as provided in  
7           R.S. 47:305(A)(5) and (6).

8           (64) Sales of room rentals by a camp or retreat facility owned by a nonprofit  
9           organization as provided in R.S. 47:301(6)(b).

10           (65) Sales of room rentals by a homeless shelter as provided in R.S.  
11           47:301(6)(c).

12           (66) Sales, leases, and rentals of tangible personal property to Boys State of  
13           Louisiana, Inc. and Girls State of Louisiana, Inc. as provided in R.S. 47:301(7)(g)  
14           and (10)(r).

15           (67) Sales or purchases of fire-fighting equipment by a volunteer fire  
16           department as provided in R.S. 47:301(10)(o).

17           (68) Sales to, and leases, rentals, and use of educational materials and  
18           equipment used for classroom instruction by a parochial and private elementary and  
19           secondary school that complies with the court order from the Dodd Brumfield  
20           decision and Section 501(c)(3) of the Internal Revenue Code as provided in R.S.  
21           47:301(7)(f), (10)(q)(ii), and (18)(e)(ii).

22           (69) Sales by a parochial and private elementary and secondary school that  
23           complies with the court order from the Dodd Brumfield decision and Section  
24           501(c)(3) of the Internal Revenue Code as provided in R.S. 47:301(10)(q)(i) and  
25           (18)(e)(i).

26           (70) Sales, as provided in R.S. 47:301(14)(b)(i), but only of admissions to  
27           an athletic and entertainment event held for or by an elementary or secondary school  
28           and membership fees or dues of a nonprofit, civic association.

1           (71) Sales or use of orthotic devices, prosthetic devices, hearing aids,  
2           eyeglasses, contact lenses, and wheelchairs prescribed by a physician, optometrist,  
3           or licensed chiropractor used exclusively by the patient for personal use as provided  
4           in R.S. 47:305(D)(1)(k).

5           (72) Sales or use of ostomy, colostomy, and ileostomy devices and  
6           equipment as provided in R.S. 47:305(D)(1)(l).

7           (73) Sales of medical devices as provided in R.S. 47:305(D)(1)(s).

8           (74) Sales of orthotic and prosthetic devices and restorative materials utilized  
9           and prescribed by dentists as provided in R.S. 47:305(D)(1)(t).

10          (75) Sales or use of adaptive driving equipment and motor vehicle  
11          modification prescribed for personal use as provided in R.S. 47:305(D)(1)(u).

12          (76) Sales or use of a meal by an educational institution, medical facility,  
13          mental institution, and an occasional meal furnished by an educational, religious, or  
14          medical organization as provided in R.S. 47:305(D)(2).

15          (77) Purchases or rentals of renal dialysis machines, parts, materials, and  
16          supplies for home use under a physician's prescription as provided in R.S. 47:305(G).

17          (78) Sales of admission to entertainment events by a Little Theater  
18          organization as provided in R.S. 47:305.6.

19          (79) Sales of admission to musical performances sponsored by a nonprofit  
20          organization as provided in R.S. 47:305.7.

21          (80) Sales of admissions to entertainment events sponsored by domestic  
22          nonprofit charitable, religious, and educational organizations as provided in R.S.  
23          47:305.13.

24          (81) Sales of admissions, parking fees, and sales of tangible personal  
25          property at events sponsored by domestic, civic, educational, historical, charitable,  
26          fraternal, or religious nonprofit organizations as provided in R.S. 47:305.14(A)(1).

27          (82) Sales of admissions and parking fees at fairs and festivals sponsored by  
28          nonprofit organizations as provided in R.S. 47:305.18.

1           (83) Purchases of fishing vessels, supplies, fuels, lubricants, and repairs for  
2           the vessels of licensed commercial fishermen as provided in R.S. 47:305.20.

3           (84) Sales of butane, propane, or other liquified petroleum gases for private,  
4           residential consumption as provided in R.S. 47:305.39.

5           (85) Sales and purchases by certain organizations that provide training for  
6           blind persons as provided in R.S. 47:305.15.

7           (86) Purchases and leases by qualified radiation therapy treatment centers as  
8           provided in R.S. 47:305.64.

9           (87) Sales of electricity for chlor-alkali manufacturing as provided in R.S.  
10          47:301(10)(c)(ii)(aa).

11          (88) Rentals or leases of certain oilfield property for re-lease or re-rental as  
12          provided in R.S. 47:301(7)(b).

13          (89) Sales of aircraft manufactured in Louisiana with a capacity in excess of  
14          eight persons as provided in R.S. 47:301(10)(m).

15          (90) Labor, materials, services, and supplies used for the repair, renovation,  
16          or conversion of drilling rig machinery and equipment which become component  
17          parts of a drilling rig used exclusively for exploration or development of minerals as  
18          provided in R.S. 47:301(14)(g)(iii).

19          (91) Repairs and materials used on drilling rigs and equipment used  
20          exclusively for exploration of development of minerals as provided in R.S. 47:305(I).

21          (92) Sales by thrift shops located on military installations as provided in R.S.  
22          47:305.14(A)(4).

23          (93) Leases or rentals of vessels for use in offshore mineral production or the  
24          provision of services to those engaged in mineral production as provided in R.S.  
25          47:305.19.

26          (94) Sales of gasohol as provided in R.S. 47:305.28.

27          (95) Sales or purchases by sheltered workshops as provided in R.S.  
28          47:305.38.

1           (96) Pharmaceutical samples manufactured or imported into the state free of  
2           charge as provided in R.S. 47:305.47.

3           (97) The exclusion for surface preparation, painting, and coating fixed or  
4           rotary wing aircraft and certified transport category aircraft registered outside of this  
5           state, as provided in R.S. 47:301(14)(g)(iv).

6           (98) Sales of platinum, gold, and silver bullion, that is valued solely upon its  
7           precious metal content, whether in coin or ingot form as provided in R.S.  
8           47:301(16)(b)(ii)(aa).

9           (99) Sales of certain numismatic coins as provided in R.S.  
10          47:301(16)(b)(ii)(bb) and (cc).

11          (100) Purchases, use, and lease of manufacturing machinery and equipment  
12          as provided in R.S. 47:301(3)(i), (13)(k) and (28)(a).

13          (101) The sale or use of steam, water, electric power or energy, natural gas,  
14          or energy sources as provided in R.S. 47:305(D)(1)(b), (c), (d), (g), and (h).

15          (102) Purchase of consumables by paper and wood manufacturers and  
16          loggers as provided in R.S. 47:301(3)(k).

17          (103) Sale and purchase of electricity as provided in R.S. 47:305(D)(1)(d)  
18          for use in production activity subject to the payment of state severance tax on  
19          production from a stripper well pursuant to R.S. 47:633(7)(c)(i) and (ii)(aa) and (bb).

20          (104) Purchase of machinery and equipment by a utility regulated by the  
21          Public Service Commission and the city of New Orleans as provided in R.S.  
22          47:301(16)(o).

23          W. The provisions of Subsection V shall supercede and control to the extent  
24          of conflict with any other provision of law beginning July 1, 2018 through June 30,  
25          2023.

26          Section 2. R.S. 47:302(Y), 321(M), 331(T), and Act No. 395 of the 2017 Regular  
27          Session of the Legislature are hereby repealed in their entirety.



1 Section 3. This Act shall become effective on July 1, 2018; if vetoed by the governor  
2 and subsequently approved by the legislature, this Act shall become effective on July 1,  
3 2018, or on the day following such approval by the legislature, whichever is later.

---

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

---

HB 27 Original

2018 Second Extraordinary Session

Lance Harris

**Abstract:** Changes the rate of the temporary state sales and use tax from 1% to .33% and extends the sunset of the tax from 2018 to 2023, also provides for the applicability of certain exclusions and exemptions to state sales and use tax levies.

Present law imposes a 1% state sales and use tax on the sale, use, consumption, storage, or lease of tangible personal property and certain services in La. The imposition of the tax expires on June 30, 2018.

Proposed law changes present law by reducing the rate of the tax from 1% to 0.33%, and by changing the sunset of the tax levy from 2018 to 2023.

Present law establishes a variety of exclusions and exemptions (exemptions) applicable to state sales and use tax.

Present law suspends numerous exemptions from the four levies of state sales and use tax (R.S. 47:302, 321, 321.1, and 331) for two different periods of time, both occurring between April 1, 2016, and June 30, 2018.

Present law provides that the suspension of certain exemptions for purposes of the tax levies in R.S. 47:321 and 331, expired June 30, 2016. The suspension with respect to the tax levies in R.S. 47:302 and 321.1, remains effective through June 30, 2018.

Present law establishes various provisions concerning specific exemptions to provide that the exemptions shall be applicable under all circumstances.

Proposed law changes present law regarding the effectiveness of all exemptions by establishing that on and after July 1, 2018 through June 30, 2023, only the following exemptions shall be applicable to all state sales and use tax levies:

- (1) Food for home consumption as defined in R.S. 47:305(D)(1)(n) through (r) on Jan. 1, 2003. (Const. Art. VII, §2.2)
- (2) Natural gas. (Const. Art. VII, §2.2)
- (3) Electricity. (Const. Art. VII, §2.2)
- (4) Water. (Const. Art. VII, §2.2)
- (5) Prescription drugs. (Const. Art. VII, §2.2)
- (6) Gasoline and other motor fuels subject to the state excise tax on fuel (Const. Art. VII, §27).

- (7) Sales to the U.S. government and its agencies. (R.S. 47:301(10)(g))
- (8) Other constructions permanently attached to the ground. (R.S. 47:301(16)(l))
- (9) Installation charges on tangible personal property. (R.S. 47:301(3)(a))
- (10) Installation of oil field board roads. (R.S. 47:301(3)(c))
- (11) Transactions involving the construction or overhaul of U.S. Navy vessels. (R.S. 47:301(7)(c) and (14)(h))
- (12) Property purchased for exclusive use outside the state. (R.S. 47:305.10)
- (13) Sales, leases, or rentals of tangible personal property paid by or under the provisions of Medicare. (R.S. 47:315.3)
- (14) Sales of human tissue transplants. (R.S. 47:301(10)(d))
- (15) Sales of raw agricultural commodities. (R.S. 47:301(10)(e))
- (16) Sales of food by a youth-serving organization chartered by the U.S. Congress. (R.S. 47:301(10)(h))
- (17) Tangible personal property sold or donated to a food bank. (R.S. 47:301(10)(j) and (18)(a)(i))
- (18) Materials used in the collection of blood. (R.S. 47:301(16)(j))
- (19) Aphaeresis kits and leuko reduction filters. (R.S. 47:301(16)(k))
- (20) Donations to schools and food banks from resale inventory. (R.S. 47:301(18)(a))
- (21) Manufacturer's rebates on a new motor vehicle. (R.S. 47:301(3)(e) and (13)(b))
- (22) Leases or rentals of railroad rolling stock. (R.S. 47:301(4)(k))
- (23) Sales, purchases and leases of tangible personal property by free hospitals. (R.S. 47:301(7)(e), (10)(p), and (18)(c))
- (24) Purchases by a nonprofit entity that sells donated goods. (R.S. 47:301(8)(f))
- (25) Tangible personal property for resale. (R.S. 47:301(10)(a)(i))
- (26) Purchases of property for lease or rental. (R.S. 47:301(10)(a)(iii) and (18)(a)(iii))
- (27) Isolated or occasional sales of tangible personal property by a person not engaged in such business. (R.S. 47:301(1) and (10)(c)(ii)(bb))
- (28) Use of a motor vehicle in La. by a member of the active duty military. (R.S. 47:303(A) and 305.48)
- (29) Purchases made under the Supplemental Nutrition Assistance Program through WIC Program Vouchers . (R.S. 47:305.46)
- (30) An article traded in on the purchase of tangible personal property. (R.S. 47:301(13)(a))
- (31) Donation of toys. (R.S. 47:301(10)(aa)(i) and (18)(m))

- (32) Stocks, bonds, notes, and other obligations or securities. (R.S. 47:301(16)(b)(i))
- (33) Credit for sales and use taxes paid to another state on tangible personal property imported in La. (R.S. 47:303(A)(3)(a))
- (34) Work product of certain professionals. (R.S. 47:301(16)(e))
- (35) Purchases by a regionally accredited independent educational institution. (R.S. 47:301(8)(b))
- (36) Sales through a coin-operated vending machine. (R.S.47:301(10)(b)(i))
- (37) Purchases by a private postsecondary academic degree-granting institution. (R.S. 47:301(10)(cc) and(18)(n))
- (38) Purchases of food items for school lunch and breakfast programs by a nonpublic elementary or secondary school. (R.S. 47:301(10)(dd))
- (39) Funeral directing services. (R.S. 47:301(14)(j))
- (40) Feed and feed additives for animals held for business purposes. (R.S. 47:305(A)(4))
- (41) Farm products produced and used by farmers. (R.S. 47:305(B))
- (42) Sale of fertilizer and containers to farmers. (R.S. 47:305(D)(1)(f))
- (43) Sales of seeds for planting crops. (R.S. 47:305.3)
- (44) Sales of pesticides for agricultural purposes. (R.S. 47:305.8)
- (45) The cost price for the printing of a news publication. (R.S. 47:301(3)(h))
- (46) Vehicle rentals to a warranty customer. (R.S. 47:301(7)(h))
- (47) Leases or rentals of a crane and related equipment with an operator. (R.S. 47:301(7)(k))
- (48) Sales by and to the state and its political subdivisions. (R.S. 47:301(8)(c))
- (49) Sales of materials for further processing. (R.S. 47:301(10)(c)(i)(aa))
- (50) The sales price for new farm equipment used in poultry production. (R.S. 47:301(13)(c))
- (51) A factory built home. (R.S. 47:301(16)(g))
- (52) Any advertising service rendered by an advertising business. (R.S. 47:302(D))
- (53) Sales of livestock, poultry, and other farm products direct from a farm. (R.S. 47:305(A)(1))
- (54) Sales of livestock at a public sale sponsored by a breeders' or registry association or at a livestock auction market. (R.S. 47:305(A)(2))
- (55) Sales of agricultural commodities by a person other than the producer, for use in further processing. (R.S. 47:305(A)(3))

- (56) Transactions in interstate commerce and tangible personal property imported into this state, or produced or manufactured in this state for export. (R.S. 47:305(E))
- (57) Ships, vessels, barges, and related supplies. (R.S. 47:305.1)
- (58) The sales price of new farm equipment, including polyroll tubing. (R.S. 47:305.25)
- (59) A truck and trailer if used at least 80% of the time in interstate commerce. (R.S. 47:305.50(A))
- (60) Freight cars, piggyback trailers, and rail rolling stock, and railroad ties. (R.S. 47:305.45 and 305.50(F))
- (61) Sales or purchases by a council on aging. (R.S. 47:305.66)
- (62) Sales of pharmaceuticals administered to livestock for agricultural purposes. (R.S. 47:301(16)(f))
- (63) Materials used in the production of crawfish and catfish. (R.S. 47:305(A)(5) and (6))
- (64) Sales of room rentals by a camp or retreat facility owned by a nonprofit organization. (R.S. 47:301(6)(b))
- (65) Sales of room rentals by a homeless shelter. (R.S. 47:301(6)(c))
- (66) Sales, leases, and rentals of tangible personal property to Boys State of La., Inc. and Girls State of La., Inc. (R.S. 47:301(7)(g) and (10)(r))
- (67) Sales or purchases of fire-fighting equipment by a volunteer fire department. (R.S. 47:301(10)(o))
- (68) Sales to, and leases, rentals, and use of educational materials and equipment used for classroom instruction by a parochial and private elementary and secondary school that complies with the court order from the Dodd Brumfield decision and federal law. (R.S. 47:301(7)(f), (10)(q)(ii), and (18)(e)(ii))
- (69) Sales by a parochial and private elementary and secondary school that complies with the court order from the Dodd Brumfield decision and federal law. (R.S. 47:301(10)(q)(i) and (18)(e)(i))
- (70) Sales, (R.S. 47:301(14)(b)(i)), but only of admissions to an athletic and entertainment event held for or by an elementary or secondary school and membership fees or dues of a nonprofit, civic association.
- (71) Sales or use of orthotic devices, prosthetic devices, hearing aids, eyeglasses, contact lenses, and wheelchairs prescribed by a physician, optometrist, or licensed chiropractor used exclusively by the patient for personal use. (R.S. 47:305(D)(1)(k))
- (72) Sales or use of ostomy, colostomy, and ileostomy devices and equipment. (R.S. 47:305(D)(1)(l))
- (73) Sales of medical devices. (R.S. 47:305(D)(1)(s))
- (74) Sales of orthotic and prosthetic devices and restorative materials utilized and prescribed by dentists. (R.S. 47:305(D)(1)(t))
- (75) Sales or use of adaptive driving equipment and motor vehicle modification prescribed for personal use. (R.S. 47:305(D)(1)(u))

- (76) Sales or use of a meal by an educational institution, medical facility, mental institution, and an occasional meal furnished by an educational, religious, or medical organization. (R.S. 47:305(D)(2))
- (77) Purchases or rentals of renal dialysis machines, parts, materials, and supplies for home use under a physician's prescription. (R.S. 47:305(G))
- (78) Sales of admission to entertainment events by a Little Theater organization. (R.S. 47:305.6)
- (79) Sales of admission to musical performances sponsored by a nonprofit organization. (R.S. 47:305.7)
- (80) Sales of admissions to entertainment events sponsored by domestic nonprofit charitable, religious, and educational organizations. (R.S. 47:305.13)
- (81) Sales of admissions, parking fees, and sales of tangible personal property at events sponsored by domestic, civic, educational, historical, charitable, fraternal, or religious nonprofit organizations. (R.S. 47:305.14(A)(1))
- (82) Sales of admissions and parking fees at fairs and festivals sponsored by nonprofit organizations. (R.S. 47:305.18)
- (83) Purchases of fishing vessels, supplies, fuels, lubricants, and repairs for the vessels of licensed commercial fishermen. (R.S. 47:305.20)
- (84) Sales of butane, propane, or other liquified petroleum gases for private, residential consumption. (R.S. 47:305.39)
- (85) Sales and purchases by certain organizations that provide training for blind persons. (R.S. 47:305.15)
- (86) Purchases and lease by qualified radiation therapy treatment centers. (R.S. 47:305.64)
- (87) Sales of electricity for chlor-alkali manufacturing. (R.S. 47:301(10)(c)(ii)(aa))
- (88) Rentals or leases of certain oilfield property for re-lease or re-rental. (R.S. 47:301(7)(b))
- (89) Sales of aircraft manufactured in La. with a capacity in excess of eight persons. (R.S. 47:301(10)(m))
- (90) Labor, materials, services, and supplies used for the repair, renovation, or conversion of drilling rig machinery and equipment which become component parts of a drilling rig used exclusively for exploration or development of minerals. (R.S. 47:301(14)(g)(iii))
- (91) Repairs and materials used on drilling rigs and equipment used exclusively for exploration of development of minerals. (R.S. 47:305(I))
- (92) Sales by thrift shops located on military installations. (R.S. 47:305.14(A)(4))
- (93) Leases or rentals of vessels for use in offshore mineral production, or the provision of services to those engaged in mineral production. (R.S. 47:305.19)
- (94) Sales of gasohol. (R.S. 47:305.28)

- (95) Sales or purchases by sheltered workshops. (R.S. 47:305.38)
- (96) Pharmaceutical samples manufactured or imported into the state free of charge. (R.S. 47:305.47)
- (97) The exclusion for surface preparation, painting, and coating fixed or rotary wing aircraft and certified transport category aircraft registered outside of this state. (R.S. 47:301(14)(g)(iv))
- (98) Sales of platinum, gold, and silver bullion, that is valued solely upon its precious metal content, whether in coin or ingot form. (R.S. 47:301(16)(b)(ii)(aa))
- (99) Sales of certain numismatic coins. (R.S. 47:301(16)(b)(ii)(bb) and (cc))
- (100) Purchases, use, and lease of manufacturing machinery and equipment. (R.S. 47:301(3)(i), (13)(k) and (28)(a)).
- (101) Purchase of consumables by paper and wood manufacturers and loggers as provided in R.S. 47:301(3)(k).
- (102) Sale and purchase of electricity as provided in R.S. 47:305(D)(1)(d) for use in production activity subject to the payment of state severance tax on production from a stripper well pursuant to R.S. 47:633(7)(c)(i) and (ii)(aa) and (bb).
- (103) Purchase of machinery and equipment by a utility regulated by the Public Service Commission and the city of New Orleans as provided in R.S. 47:301(16)(o).

Proposed law provides that the exemptions for the sales and use of steam, water, electric power or energy, natural gas, or other energy sources as provided in R.S. 47:305(D)(1)(b), (c), (d), (g), and (h) ***with respect to all taxpayers shall*** be applicable to the taxes levied under R.S. 47:321, 321.1, and 331.

Effective July 1, 2018.

(Amends R.S. 47:301(16)(o)(i), 302(R)(2) and (3), (S), (T), (X)(intro. para.), (AA)(intro. para.), (AA)(29) through (31), and (AA)(32)(intro. para.), 321(H)(2) through (6), and (I) through (K), 321.1(A)-(C), (E), (F)(intro. para.), (F)(66)(intro. para.), (F)(67) through (69), and (F)(70)(intro. para.), and 331(P), (Q), and (R); Adds 47:302(BB) and (CC), 321(P) and (Q), 321.1(I) and (J), and 331(V) and (W); Repeals R.S. 47:302(Y), 321(M), 331(T), and Act No. 395 of the 2017 R.S.)