

2016 Second Extraordinary Session

HOUSE BILL NO. 39

BY REPRESENTATIVE FOIL

TAX/SALES-USE, STATE: Provides for effectiveness of the exclusion for sales, leases, and rentals of tangible personal property and sales of services necessary to operate free hospitals (Item #18)

1 AN ACT

2 To amend and reenact R.S. 47:302(V)(introductory paragraph) as enacted by Act No. 25 of

3 the 2016 First Extraordinary Session of the Legislature and R.S.

4 47:321.1(F)(introductory paragraph) and to enact R.S. 47:302(AA) and 321.1(F)(66),

5 relative to state sales and use tax; to provide with respect to the exclusion for sales,

6 leases, and rentals of tangible personal property and sales of services necessary to

7 operate free hospitals; to provide for effectiveness; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 47:302(V)(introductory paragraph) as enacted by Act No. 25 of the

10 2016 First Extraordinary Session of the Legislature and R.S. 47:321.1(F)(introductory

11 paragraph) are hereby amended and reenacted and R.S. 47:302(AA) and 321.1(F)(66) are

12 hereby enacted to read as follows:

13 §302. Imposition of tax

14 * * *

15 V. Notwithstanding any other provision of law to the contrary, including but

16 not limited to any contrary provisions of this Chapter, for the period April 1, 2016,

17 through July 1, 2018, ~~the following~~ there shall be no exclusions and exemptions to

18 the tax levied pursuant to the provisions of this Section ~~shall be the exclusive list of~~

Present law establishes a state sales and use tax exclusion for sales, leases, and rentals of tangible personal property and sales of services necessary to operate free hospitals.

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

Present law provides that the suspension of this exclusion for purposes of two of the tax levies, R.S. 47:321 and 331, expires June 30, 2016. The suspension with respect to the other two tax levies, R.S. 47:302 and 321.1 remains effective through June 30, 2018.

Proposed law changes present law by adding the exclusion for sales, leases, and rentals of tangible personal property and sales of services necessary to operate free hospitals to the list of state sales and use tax exemptions to the remaining two tax levies to be given effect beginning July 1, 2016.

Effective July 1, 2016.

(Amends R.S. 47:302(V)(intro. para.) as enacted by Act No. 25 of the 2016 1st E.S. and 321.1(F)(intro. para.); Adds R.S. 47:302(AA) and 321.1(F)(66))