

1 pledges for the payment of obligations for bonds or other evidences of indebtedness
2 on the effective date of this Section, the treasurer shall allocate such portion of the
3 revenues received in each year as necessary to pay all principal, interest, premium,
4 if any, and other obligations incident to the issuance, security, and payment in
5 respect of bonds as authorized in Paragraph (C) hereof. Thereafter, the portion of the
6 revenues remaining shall be deposited in the Bond Security and Redemption Fund
7 in the state treasury. After (1) the payment of any obligations for bonds or other
8 evidences of indebtedness in existence on the effective date of this Section which are
9 secured by revenues; (2) payments in respect of bonds authorized in Paragraph (C)
10 hereof; and (3) credit to the Bond Security and Redemption Fund, the treasurer shall
11 deposit in and credit to the trust fund all of the revenues remaining (the "excess
12 revenues") from the avails of all taxes levied on gasoline and motor fuels and on
13 special fuels, as follows: for the fiscal year beginning July 1, 1989, the avails of
14 twelve cents per gallon of said taxes received on and after January 1, 1990; for the
15 fiscal year beginning on July 1, 1990, the avails of fourteen cents per gallon of said
16 taxes; for the fiscal year beginning on July 1, 1991, and thereafter, the avails of all
17 taxes levied on gasoline and motor fuels and on special fuels. Purchases of gasoline,
18 diesel fuel, or special fuels which are subject to excise tax under Chapter 7 of
19 Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950 shall be exempt from
20 ~~the state sales tax and any sales and use tax~~ levied by a political subdivision as
21 defined by Article VI, Section 44(2); however, gasoline, motor fuels and special
22 fuels may be subject to sales and use tax levied by the state. All monies appropriated
23 by the Federal Highway Administration and the Federal Aviation Administration, or
24 their successors, either reimbursed or paid directly, shall be paid directly or
25 deposited in and credited to the trust fund.

26 Section 2. Be it further resolved that the provisions of the amendment contained in
27 this Joint Resolution shall become effective on January 1, 2015.

1 Section 3. Be it further resolved that this proposed amendment shall be submitted
2 to the electors of the state of Louisiana at the statewide election to be held on November 4,
3 2014.

4 Section 4. Be it further resolved that on the official ballot to be used at the election,
5 there shall be printed a proposition, upon which the electors of the state shall be permitted
6 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
7 follows:

8 Do you support an amendment to authorize the state to levy sales and use tax
9 on purchases of gasoline, diesel, and special fuels? (January 1, 2015)
10 (Amends Article 7, Section 27(A))

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)]

Robideaux

HB No. 438

Abstract: Removes the prohibition of the state levying sales and use taxes on purchases of gasoline, diesel fuel, and special fuels which are currently subject to state excise tax.

Present constitution provides that gasoline, diesel fuel, or special fuels currently subject to state excise tax under present law (Chapter 7 of Subtitle II of Title 47 of the revised statutes) are exempt from state and local sales and use taxes.

Proposed constitutional amendment retains present constitution regarding sales and use tax levied by political subdivisions; however, proposed constitutional amendment *authorizes* these fuels to be subject to a sales and use tax levied by the state.

Effective January 1, 2015.

Provides for submission of the proposed amendment to the voters at the statewide election to be held November 4, 2014.

(Amends Const. Art. VII, §27(A))