HLS 19RS-46 ENGROSSED

2019 Regular Session

HOUSE BILL NO. 60

1

BY REPRESENTATIVES JAY MORRIS, ABRAMSON, BOURRIAQUE, DEVILLIER, DWIGHT, HORTON, AND JIM MORRIS AND SENATOR RISER

TAX/SALES-USE-EXEMPT: Provides for the effectiveness of certain sales and use tax holidays

AN ACT

2 To enact R.S. 47:302(BB)(110), 321(P)(111), 321.1(I)(111), and 331(V)(111), relative to 3 sales and use tax; to provide for the effectiveness of certain annual sales and use tax 4 holidays; to provide for an effective date; and to provide for related matters. 5 Be it enacted by the Legislature of Louisiana: 6 Section 1. R.S. 47:302(BB)(110), 321(P)(111), 321.1(I)(111), and 331(V)(111) are 7 hereby enacted to read as follows: 8 §302. Imposition of tax 9 10 BB. Notwithstanding any other provision of law to the contrary, including 11 but not limited to any contrary provisions of this Chapter, beginning July 1, 2018, 12 through June 30, 2025, there shall be no exemptions and no exclusions to the tax 13 levied pursuant to the provisions of this Section, except for the retail sale, use, 14 consumption, distribution, or storage for use or consumption of the following: 15 16 (110) The sales and use tax holidays as provided in R.S. 305.54, 305.58, and 17 305.62. 18

Page 1 of 4

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1 §321. Imposition of tax 2 3 P. Notwithstanding any other provision of law to the contrary, including but 4 not limited to any contrary provisions of this Chapter, beginning July 1, 2018, 5 through June 30, 2025, there shall be no exemptions and no exclusions to the tax 6 levied pursuant to the provisions of this Section, except for the retail sale, use, 7 consumption, distribution, or storage for use or consumption of the following: 8 9 (111) The sales and use tax holidays as provided in R.S. 305.54, 305.58, and 10 305.62. 11 12 §321.1. Imposition of tax 13 14 I. Notwithstanding any other provision of law to the contrary, including but 15 not limited to any contrary provisions of this Chapter, beginning July 1, 2018, 16 through June 30, 2025, there shall be no exemptions and no exclusions to the tax 17 levied pursuant to the provisions of this Section, except for the retail sale, use, 18 consumption, distribution, or storage for use or consumption of the following: 19 20 (111) The sales and use tax holidays as provided in R.S. 305.54, 305.58, and 21 305.62. 22 23 §331. Imposition of tax 24 25 V. Notwithstanding any other provision of law to the contrary, including but 26 not limited to any contrary provisions of this Chapter, beginning July 1, 2018,

through June 30, 2025, there shall be no exemptions and no exclusions to the tax

27

HB NO. 60

1 levied pursuant to the provisions of this Section, except for the retail sale, use, 2 consumption, distribution, or storage for use or consumption of the following: 3 4 (111) The sales and use tax holidays as provided in R.S. 305.54, 305.58, and 5 305.62. 6 7 Section 2. This Act shall become effective upon signature by the governor or, if not 8 signed by the governor, upon expiration of the time for bills to become law without signature 9 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If 10 vetoed by the governor and subsequently approved by the legislature, this Act shall become

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 60 Engrossed

11

2019 Regular Session

Jay Morris

Abstract: Reinstates the effectiveness of the Annual La. Second Amendment Weekend sales tax holiday for all state sales and use tax levies.

Present law imposes state sales and use taxes on the sale, use, lease, or rental of tangible personal property pursuant to the following levies in the following amounts:

R.S. 47:302 - 2%

R.S. 47:321 - 1%

R.S. 47:321.1 - .45%

effective on the day following such approval.

R.S. 47:331 - .97%

R.S. 51:1286 - .03%

Present law provides for a variety of exemptions and exclusions applicable to state sales and use taxes.

Present law authorizes a state sales and use tax holiday for the first \$2,500 of the sales price of consumer purchases of tangible personal property occuring on the first consecutive Friday and Saturday in August.

Present law authorizes an annual state and local sales tax holiday, known as the Annual La. Second Amendment Weekend Holiday, for the cost price of consumer purchases of firearms, ammunition, and hunting supplies occurring on the first Friday through Sunday in September.

Present law authorizes an annual state sales tax holiday for hurricane-preparedness items or supplies, for the first \$1,500 of the sales price of purchases of hurricane-preparedness items as described in the statute, occurring on the last Saturday and Sunday of May.

Page 3 of 4

CODING: Words in struck through type are deletions from existing law; words underscored are additions.

<u>Present law</u> suspends numerous exemptions from the four levies of state sales and use tax (R.S. 47:302, 321, 321.1, and 331) through June 30, 2025.

<u>Present law</u> suspends effectiveness of the Annual Louisiana Sales Tax Holiday, Annual La. Second Amendment Weekend sales tax holiday, and the annual sales tax holiday weekend for hurricane-preparedness items from all state sales and use tax levies through June 30, 2025, thereby making these items subject to state sales and use tax.

<u>Proposed law</u> adds the Annual Louisiana Sales Tax Holiday, Annual La. Second Amendment Weekend sales tax holiday, and the annual sales tax holiday weekend for hurricane-preparedness items to the list of exemptions currently effective through June 30, 2025.

Effective upon the signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 47:302(BB)(110), 321(P)(111), 321.1(I)(111), and 331(V)(111))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by <u>House Committee on Ways and Means</u> to the original bill:

1. Add the annual sales tax holiday weekend that occurs in the first consecutive weekend in August and the annual sales and use tax holiday that occurs in the last weekend in May to the list of sales and use tax exemptions given effect through June 30, 2025.