SENATE BILL NO. 6

BY SENATOR CATHEY AND REPRESENTATIVES BOURRIAQUE, BRYANT, ROBBY CARTER, COX, DESHOTEL, DEVILLIER, ECHOLS, EDMONDS, EMERSON, FREIBERG, GADBERRY, HARRIS, LACOMBE, MIGUEZ, RISER, SCHEXNAYDER, STEFANSKI, THOMPSON, TURNER AND WHITE

1	AN ACT
2	To enact R.S. 47:302(BB)(114), 305.4, 321(P)(115), 321.1(I)(115), and 331(V)(115),
3	relative to tax exemptions; to provide an exemption from state sales and use tax for
4	utilities used by commercial farmers for on-farm storage; to authorize the secretary
5	of the Department of Revenue to promulgate rules; to provide for effectiveness; and
6	to provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 47:302(BB)(114), 305.4, 321(P)(115), 321.1(I)(115), and
9	331(V)(115) are hereby enacted to read as follows:
10	§302. Imposition of tax
11	* * *
12	BB. Notwithstanding any other provision of law to the contrary, including but
13	not limited to any contrary provisions of this Chapter, beginning July 1, 2018,
14	through June 30, 2025, there shall be no exemptions and no exclusions to the tax
15	levied pursuant to the provisions of this Section, except for the retail sale, use,
16	consumption, distribution, or storage for use or consumption of the following:
17	* * *
18	(114) Sales of utilities used by commercial farmers for on-farm storage
19	<u>as provided in R.S. 47:305.4.</u>
20	* * *
21	§305.4. Exclusions and Exemptions; utilities used by commercial farmers for
22	on-farm storage
23	A. Beginning October 1, 2021, the sales and use tax imposed by the state
24	of Louisiana shall not apply to the sale or use of utilities used by commercial
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1	farmers for on-farm storage.
2	B. For purposes of this Section:
3	(1)"Commercial farmer" shall have the same meaning as defined in R.S.
4	<u>47:301(30).</u>
5	(2) "On-farm storage" means facilities or containers located in Louisiana
6	that are separately metered for utilities and that contain raw agricultural
7	commodities, including but not limited to feed, seed, and fertilizer, to be utilized
8	in preparing, finishing, manufacturing, or producing crops or animals prior to
9	the first point of sale.
10	(3) "Utilities" means steam, water, electric power or energy, natural gas,
11	or energy sources as provided for in R.S. 47:305(D)(1)(b), (c), (d), (g), and (h).
12	C. The secretary of the Department of Revenue may promulgate rules
13	and regulations necessary to implement the provisions of this Section.
14	* * *
15	§321. Imposition of tax
16	* * *
17	P. Notwithstanding any other provision of law to the contrary, including but
18	not limited to any contrary provisions of this Chapter, beginning July 1, 2018,
19	through June 30, 2025, there shall be no exemptions and no exclusions to the tax
20	levied pursuant to the provisions of this Section, except for the retail sale, use,
21	consumption, distribution, or storage for use or consumption of the following:
22	* * *
23	(115) Sales of utilities used by commercial farmers for on-farm storage
24	as provided in R.S. 47:305.4.
25	* * *
26	§321.1. Imposition of tax
27	* * *
28	I. Notwithstanding any other provision of law to the contrary, including but
29	not limited to any contrary provisions of this Chapter, beginning July 1, 2018,
30	through June 30, 2025, there shall be no exemptions and no exclusions to the tax
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ENROLLED

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	SB NO. 6 ENROLLED
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	(115) Sales of utilities used by commercial farmers for on-farm storage
5	as provided in R.S. 47:305.4.
6	* * *
7	§331. Imposition of tax
8	* * *
9	V. Notwithstanding any other provision of law to the contrary, including but
10	not limited to any contrary provisions of this Chapter, beginning July 1, 2018,
11	through June 30, 2025, there shall be no exemptions and no exclusions to the tax
12	levied pursuant to the provisions of this Section, except for the retail sale, use,
13	consumption, distribution, or storage for use or consumption of the following:
14	* * *
15	(115) Sales of utilities used by commercial farmers for on-farm storage
16	<u>as provided in R.S. 47:305.4.</u>
17	* * *
18	Section 2. This Act shall become effective upon signature by the governor or, if not
19	signed by the governor, upon expiration of the time for bills to become law without signature
20	by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
21	vetoed by the governor and subsequently approved by the legislature, this Act shall become
22	effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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