

2011 -- H 5617

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

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A N A C T

RELATING TO TAXATION -- SALES AND USE TAXES -- LIABILITY AND  
COMPUTATION

Introduced By: Representative Robert E. Flaherty

Date Introduced: March 03, 2011

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 44-18-36.1 of the General Laws in Chapter 44-18 entitled "Sales  
2 and Use Taxes - Liability and Computation" is hereby amended to read as follows:

3 **44-18-36.1. Hotel tax.** -- (a) There is imposed a hotel tax of five percent (5%) upon the  
4 total consideration charged for occupancy of any space furnished by any hotel in this state. The  
5 hotel tax is in addition to any sales tax imposed. This hotel tax is administered and collected by  
6 the division of taxation and unless provided to the contrary in this chapter, all the administration,  
7 collection, and other provisions of chapters 18 and 19 of this title apply. Nothing in this chapter  
8 shall be construed to limit the powers of the convention authority of the city of Providence  
9 established pursuant to the provisions of chapter 84 of the public laws of 1980, except that  
10 distribution of hotel tax receipts shall be made pursuant to chapter 63.1 of title 42 rather than  
11 chapter 84 of the public laws of 1980.

12 (b) There is hereby levied and imposed, upon the total consideration charged for  
13 occupancy of any space furnished by any hotel in this state, in addition to all other taxes and fees  
14 now imposed by law, a local hotel tax at a rate of one percent (1%) except in the city of Warwick  
15 where the local hotel tax may be set by local ordinance at a rate of two percent (2%). The local  
16 hotel tax shall be administered and collected in accordance with subsection (a).

17 (c) All sums received by the division of taxation from the local hotel tax, penalties or  
18 forfeitures, interest, costs of suit and fines shall be distributed at least quarterly, credited and paid

1 by the state treasurer to the city or town where the space for occupancy that is furnished by the  
2 hotel is located. Unless provided to the contrary in this chapter, all of the administration,  
3 collection, and other provisions of chapters 18 and 19 of this title shall apply.

4 (d) Notwithstanding the provisions of subsection (a) of this section, the city of Newport  
5 shall have the authority to collect from hotels located in the city of Newport the tax imposed by  
6 subsection (a) of this section.

7 (1) Within ten (10) days of collection of the tax, the city of Newport shall distribute the  
8 tax as provided in section 42-63.1-3. No later than the first day of March and the first day of  
9 September in each year in which the tax is collected, the city of Newport shall submit to the  
10 division of taxation a report of the tax collected and distributed during the six (6) month period  
11 ending thirty (30) days prior to the reporting date.

12 (2) The city of Newport shall have the same authority as the division of taxation to  
13 recover delinquent hotel taxes pursuant to chapter 44-19, and the amount of any hotel tax, penalty  
14 and interest imposed by the city of Newport until collected constitutes a lien on the real property  
15 of the taxpayer.

16 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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- 1           This act would authorize the city of Warwick to impose a local hotel tax of two percent  
2 (2%).  
3           This act would take effect upon passage.

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