

HOUSE SUMMARY OF SENATE AMENDMENTS**HB 287****2022 Regular Session****Willard**

TAX/OCCUPATIONAL: Requires the annual occupational license tax levied on certain computer programming businesses to be set at a flat rate

Synopsis of Senate Amendments

1. Adds definition for "software as a service".
2. Changes the effective date from July 1, 2022 to Jan. 1, 2023.

Digest of Bill as Finally Passed by Senate

Present law provides for the levy by a municipality or parish of an occupational license tax which is assessed on persons conducting business. The tax can be either a percentage of gross sales, receipts, loans, or commissions or a flat fee depending upon the classification of the business.

Proposed law requires the annual occupational license tax for a computer programming business which derives 80% of its gross revenues from providing software, infrastructure, or platform as a service, software programming, website hosting, website design, and networking services to be set at a flat rate. Provides that the rate is one-tenth of 1% of the annual gross receipts for professional fees for services rendered by the business, with a minimum tax of \$50 and a maximum tax of \$2,000.

Proposed law defines "software as a service" as a delivery model in which software is licensed on a subscription basis and is accessed solely through the internet.

Proposed law requires the annual tax to be levied on the business and not separately on any individual employee or member of the taxpayer which conducts its business as a firm, partnership, or corporation.

Effective January 1, 2023.

(Adds R.S. 47:359(L))