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The original instrument was prepared by Leonore F. Heavey. The following digest, which does not constitute a part of the legislative instrument, was prepared by Thomas L. Tyler.

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DIGEST

SB 15 Reengrossed

2016 Second Extraordinary Session

Morrell

Present law provides for numerous exclusions and exemptions from state sales and use tax for various transactions involving nonprofit organizations.

Present law suspends several state sales tax exemptions relating to sales by nonprofit organizations from April 1, 2016, to June 30, 2018, for purposes of the 2% sales tax imposed by R.S. 47:302, and from April 1, 2016, to June 30, 2016, for purposes of each of the 1% state sales tax levies in R.S. 47:321 and 331. These exemptions will be fully restored on July 1, 2018.

Proposed law retains these provisions but requires that certain nonprofits that sell exempt tangible personal property and services be subject to an annual reporting requirement based on transactions occurring during the previous fiscal year, beginning July 1st of the preceding year and ending on June 30th of the current year.

Proposed law requires that the annual report contain the name of the organization, its federal and state tax identification numbers, the annual gross sales of tangible personal property or services that are not subject to the sales and use taxes, and additional information as required by the secretary of the Department of Revenue to determine the annual sales tax revenue loss to the state due to the exemptions or exclusions.

Proposed law requires that the annual report is due on September 30th of each year and requires that it be submitted electronically to the secretary.

Proposed law specifically lists the transactions by nonprofits that are to be reported.

Proposed law provides that these reporting requirements do not apply to nonprofit entities and their affiliates organized and operated exclusively for religious purposes that are exempt from federal income taxes under §501(c)(3) of the Internal Revenue Code.

Effective on July 1, 2016.

(Adds R.S. 47:306.4)

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Adds provision that the reporting be based on transactions beginning July 1st of the previous fiscal year and ending June 30th of the current year.
2. Changes the due date of the annual report to September 30th.
3. Adds requirement that the report be filed electronically.
4. Adds provision that reporting requirement does not apply to nonprofit entities and their affiliates organized and operated exclusively for religious purposes which are exempt from federal income taxes under §501(c)(3) of the I.R.C.
5. Changes effective date from governor's signature to July 1, 2016.