

2017 Regular Session

HOUSE BILL NO. 224

BY REPRESENTATIVE MORENO

FUNDS/FUNDING: Dedicates state sales and use taxes levied on hotel rooms in residences in Orleans Parish into the New Orleans Quality of Life Fund

1 AN ACT

2 To enact R.S. 47:302.56, 322.49, and 332.55, relative to the disposition of certain sales and
3 use tax collections in Orleans Parish; to establish the New Orleans Quality of Life
4 Fund as a special fund in the state treasury; to provide for the deposit of monies into
5 the fund; to provide for the use of such monies; to provide for an effective date; and
6 to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 47:302.56, 322.49, and 332.55 are hereby enacted to read as follows:

9 §302.56. Disposition of certain collections in Orleans Parish

10 A. The avails of the tax imposed by this Chapter from the sale of services as
11 defined in R.S. 47:301(14)(a) collected from hotels as defined in R.S.
12 47:301(6)(a)(ii) in Orleans Parish under the provisions of R.S. 47:302(C), shall be
13 credited to the Bond Security and Redemption Fund, and after a sufficient amount
14 is allocated from that fund to pay all of the obligations secured by the full faith and
15 credit of the state which become due and payable within any fiscal year, the treasurer
16 shall pay the remainder of such funds into a special fund which is hereby created in
17 the state treasury and designated as the "New Orleans Quality of Life Fund".

18 B. The monies in the New Orleans Quality of Life Fund shall be subject to
19 annual appropriation by the legislature. All unexpended and unencumbered monies
20 remaining in the fund at the end of the fiscal year shall remain in the fund. The

1 monies in the fund shall be invested by the treasurer in the same manner as the
2 monies in the state general fund, and all interest earned shall be deposited into the
3 state general fund.

4 C. Monies appropriated from the fund shall be available for use by the city
5 of New Orleans for code enforcement by the City of New Orleans Short Term
6 Rental Administration. Any monies appropriated in excess of the amount needed for
7 code enforcement shall be available to the city of New Orleans for deposit into its
8 general fund.

9 * * *

10 §322.49. Disposition of certain collections in Orleans Parish

11 Notwithstanding the provisions of R.S. 47:322.38, the avails of the tax
12 imposed by R.S. 47:321 from the sales of services as defined in R.S. 47:301(14)(a)
13 collected from hotels as defined in R.S. 47:301(6)(a)(ii) in Orleans Parish under the
14 provisions of R.S. 47:321(C) and 322, as applicable, shall be credited to the Bond
15 Security and Redemption Fund, and after a sufficient amount is allocated from that
16 fund to pay all of the obligations secured by the full faith and credit of the state
17 which become due and payable within any fiscal year, the treasurer shall pay the
18 remainder of such funds into the New Orleans Quality of Life Fund as provided in
19 and subject to the provisions of R.S. 47:302.56.

20 * * *

21 §332.55. Disposition of certain collections in Orleans Parish

22 Notwithstanding the provisions of R.S. 47:332.10, the avails of the tax
23 imposed by R.S. 47:331 from the sales of services as defined in R.S. 47:301(14)(a)
24 collected from hotels as defined in R.S. 47:301(6)(a) (ii) in Orleans Parish under the
25 provisions of R.S. 47:331(C) and 332 shall be credited to the Bond Security and
26 Redemption Fund, and after a sufficient amount is allocated from that fund to pay
27 all the obligations secured by the full faith and credit of the state which become due
28 and payable within any fiscal year, the treasurer shall pay the remainder of such

1 funds into the New Orleans Quality of Life Fund as provided in and subject to the
 2 provisions of R.S. 47:302.56.

3 Section 2. This Act shall become effective on July 1, 2017; if vetoed by the governor
 4 and subsequently approved by the legislature, this Act shall become effective on July 1,
 5 2017, or on the day following such approval by the legislature, whichever is later.

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 224 Engrossed

2017 Regular Session

Moreno

Abstract: Dedicates the avails of the state sales tax collected on hotel rooms in residences in Orleans Parish to the New Orleans Quality of Life Fund.

Present law (R.S. 47:322.38) dedicates 1% of the state sales and use tax on hotel rooms in Orleans Parish into the Ernest N. Morial Convention Center Phase IV Expansion Project Fund, the New Orleans Sports Franchise Fund, and the New Orleans Area Economic Development Fund.

Present law (R.S. 47:332.10) dedicates .97% of the state sales and use tax on hotel rooms in Orleans Parish into the New Orleans Convention and Visitors Bureau Fund.

Present law (Art. VII, §47(M) of the Constitution of 1921) authorizes the Louisiana Stadium and Exposition District (LSED) to levy a hotel occupancy tax. Defines "hotels" as establishments of ten or more guest rooms. In the event the occupancy tax is levied, present law abates the 2% state sales tax on hotel fees and rentals covered by the occupancy tax.

Proposed law creates the New Orleans Quality of Life Fund as a special fund in the state treasury. Dedicates 3.97% of the state sales and use tax levied on hotel rooms in residential locations collected in Orleans Parish to the New Orleans Quality of Life Fund to be used by the city of New Orleans for code enforcement by the City of New Orleans Short Term Rental Administration. Provides that any monies in excess of the amount needed for code enforcement shall be available to the city of New Orleans for deposit into its general fund.

Effective July 1, 2017.

(Adds R.S. 47:302.56, 322.49, and 332.55)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Appropriations to the original bill:

1. Change the use of the New Orleans Quality of Life Fund from improvement of the quality of life of New Orleans residents, including but not limited to certain specified purposes, to code enforcement and deposit into the city of New Orleans general fund.