

2017 Regular Session

HOUSE BILL NO. 582

BY REPRESENTATIVES SMITH AND BROADWATER

TAX: Provides relative to the telecommunications tax for the deaf

1 AN ACT

2 To amend and reenact R.S. 47:1061(A), relative to the telecommunications tax for the deaf;  
3 to provide with respect to the amount of the tax levied; to provide with respect to  
4 those telecommunications services to which the tax is levied; to provide for certain  
5 limitations; to provide for the amount of the deduction certain companies are  
6 authorized to retain for the collection of such tax; to provide for an effective date;  
7 and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 47:1061(A) is hereby amended and reenacted to read as follows:

10 §1061. Telecommunication tax for the deaf

11 A.(1) There is hereby levied a tax of ~~five~~ four cents per month to be assessed  
12 per line for each wireline access line and per telephone number for each wireless  
13 handset device on each ~~residence~~ residential and business customer ~~telephone access~~  
14 line of the local exchange companies of a local or wireless telecommunication  
15 service company operating in Louisiana. The tax shall be collected from each  
16 ~~residence~~ residential and business customer and remitted by each such company on  
17 or before thirty days after the close of each calendar quarter to the secretary of the  
18 Department of Revenue on forms prescribed by the secretary. The tax provided for  
19 in this Paragraph shall not apply to wireless devices used only for data purposes or  
20 to prepaid wireless devices.

21 (2) The local ~~exchange companies~~ or wireless telecommunication service  
22 company collecting and remitting such tax as hereinabove provided shall be allowed



a statewide program to provide accessibility services and assistive technology for persons who are deaf, hard of hearing, or speech impaired.

Proposed law retains present law but decreases the monthly tax from \$.05 to \$.04 and expands the services upon which the tax is levied to include wireless handset devices. Requires the tax to be levied per month and to be assessed per line for each wireless access line and per telephone number for each wireless handset device.

Proposed law exempts wireless devices used only for data purposes and prepaid wireless devices from the levy of the tax.

Present law authorizes companies collecting and remitting the tax to retain a portion, not to exceed 2%, from the amount collected and remitted as compensation for collecting the tax if the remittance of the monies to the Dept. of Revenue is made timely.

Proposed law retains present law but increases the amount allowed to be retained from no more than 2% to no more than 3%.

Proposed law provides for a 4% charge on the retail sale of prepaid wireless services that is to be deposited in the Telecommunications for the Deaf Fund.

Proposed law provides that the telecommunications tax levied in proposed law will be administered in the same manner as prepaid 911 charges with the exception of the authority of the seller to deduct and retain 2% of charges that are collected by the seller and the authority of the Dept. of Revenue to retain up to 2% of the remitted charges to reimburse direct costs of administering the collection and remittance of prepaid 911 charges.

Effective Oct. 1, 2017.

(Amends R.S. 47:1061(A))

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Ways and Means to the original bill:

1. Clarify that the administration of the tax in proposed law will only be in accord with certain provisions of present law with respect to prepaid 911 charges.
2. Add effective date of Oct. 1, 2017.