HLS 21RS-671 ENGROSSED

2021 Regular Session

HOUSE BILL NO. 148

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BY REPRESENTATIVE ECHOLS

TAX/SALES-USE, STATE: Exempts certain educational institutions from state sales and use tax on the lease or rental of tangible personal property

AN ACT

2 To amend and reenact R.S. 47:301(8)(b), relative to state sales and use tax; to provide for 3 an exclusion for institutions of higher education accredited by the American 4 Osteopathic Association Commission on Osteopathic College Accreditation from 5 sales and use taxation on certain transactions; to provide for certain limitations; and 6 to provide for related matters. 7 Be it enacted by the Legislature of Louisiana: 8 Section 1. R.S. 47:301(8)(b) is hereby amended and reenacted to read as follows: 9 §301. Definitions 10 As used in this Chapter the following words, terms, and phrases have the 11 meanings ascribed to them in this Section, unless the context clearly indicates a 12 different meaning: 13 14 (8) 15 16 (b) Solely for purposes of the payment of state sales or use tax on the lease 17 or rental or the purchase of tangible personal property or services, "person" shall not 18 include a regionally accredited independent institution of higher education which is 19 a member of the Louisiana Association of Independent Colleges and Universities or 20 an institution of higher education accredited by the American Osteopathic

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

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Association Commission on Osteopathic College Accreditation, if such lease or rental or purchase is directly related to the educational mission of such institution.

However, the term "person" shall include such institution for purposes of the payment of tax on sales by such institution if the sales are not otherwise exempt.

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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 148 Engrossed

2021 Regular Session

Echols

Abstract: Establishes a sales and use tax exclusion from sales and use taxes for services and tangible personal property purchased or leased or rented by an institution of higher education accredited by the American Osteopathic Association Commission on Osteopathic College Accreditation if the lease, rental, or purchase is directly related to the educational mission of the institution.

<u>Present law</u> imposes state sales and use taxes on the sale, use, lease, or rental of tangible personal property pursuant to the following levies in the following amounts:

R.S. 47:302 - 2%

R.S. 47:321 - 1%

R.S. 47:321.1 - .45%

R.S. 47:331 - .97%

R.S. 51:1286 - .03%

<u>Present law</u> provides a sales and use tax exclusion from sales and use taxes for services and tangible personal property purchased or leased or rented by a regionally accredited independent institution of higher education which is a member of the Louisiana Association of Independent Colleges and Universities if the lease, rental, or purchase is directly related to the educational mission of the institution.

<u>Proposed law</u> retains <u>present law</u> and additionally provides an exclusion for services and tangible personal property purchased or leased or rented by an institution of higher education accredited by the American Osteopathic Association Commission on Osteopathic College Accreditation if the lease, rental, or purchase is directly related to the educational mission of the institution.

(Amends R.S. 47:301(8)(b))