
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Riley Boudreaux.

DIGEST

Cortez (SB 515)

Present law authorizes local governmental subdivisions located within a parish (i.e. the parish and its municipalities) in which an "event, activity, or enterprise" is undertaken in a "public facility" owned and operated by the state or any of its agencies, boards, or commissions to rebate to the promoter their sale and use taxes paid on the right of admission to the event and charges for parking.

"Event, activity, or enterprise" is defined as a musical or other entertainment undertaking in the public facility which event has been held for no less than two consecutive years prior to the undertaking for which a rebate is made, is conducted over two consecutive days, and has an average attendance of at least 25,000 per day.

"Public facility" is specifically defined as a stadium facility that is normally used for athletic or sporting events, activities, or enterprises and that has a seating capacity in excess of 90,000.

Proposed law prohibits such a rebate if any of the contracts entered into for the "event, activity, or enterprise" operates to prevent the contracted person or entity from participating in any other type of activity conducted in any other type of facility owned or operated by the state, any political subdivision of the state, or any agency, board, commission, or instrumentality thereof.

Proposed law provides that its provisions shall be applied retroactively to any event, activity, or enterprise and contracts entered into for such event which occurs on or after July 1, 2012, for which rebates were or will be issued. Any rebate issued before the effective date of the proposed law in violation of its conditions is to be considered as a tax due and is to be recaptured by the single sales tax collector of the parish in which the event, activity, or enterprise was held subject to any of the collection and enforcement provisions of the Uniform Local Sales Tax Code.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 39:469(B))