

2016 First Extraordinary Session

HOUSE BILL NO. 28

BY REPRESENTATIVE COX

TAX/ALCOHOLIC BEVERAGE: Reduces the amount of the discount for accurately reporting and remitting excise taxes on alcoholic beverages and beer (Item #23)

1 AN ACT

2 To amend and reenact R.S. 26:345 and 354(D), relative to state excise taxes; to provide  
3 relative to the discounts for the reporting and remitting of excise taxes on certain  
4 alcoholic beverages; to reduce the amount of the discounts for accurately reporting  
5 and timely remitting certain excise taxes; to provide for an effective date; and to  
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 26:345 and 354(D) are hereby amended and reenacted to read as  
9 follows:

10 §345. Discount on taxes on beverages of low alcoholic content

11 For accurately reporting and timely remitting the taxes due under the  
12 provisions of R.S. 26:342, all taxpayers shall be allowed a discount of ~~two~~ one  
13 percent of the amount of the tax otherwise due.

14 \* \* \*

15 §354. Payment and reporting of taxes; discounts; rules and regulations;  
16 enforcement; forfeitures and penalties; redemption of tax stamps

17 \* \* \*

18 D. For accurately reporting and timely remitting the taxes all taxpayers shall  
19 be allowed a discount of ~~three and one-third~~ one and two-thirds percent of the

1 amount of the tax otherwise due. When a check or other instrument given in  
2 payment of taxes is returned unpaid, the discount is forfeited.

3 \* \* \*

4 Section 2. This Act shall become effective upon signature by the governor or, if not  
5 signed by the governor, upon expiration of the time for bills to become law without signature  
6 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
7 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
8 effective on the day following such approval.

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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)]

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HB 28 Original                      2016 First Extraordinary Session                      Cox

**Abstract:** Reduces the amount of the discounts for the accurate reporting and timely remittance of state excise taxes on all alcoholic beverages and beer.

Present law provides for the levy of an excise tax upon the sale of all beverages of high alcoholic and low alcoholic content in Louisiana.

Present law authorizes a discount of 2% of the amount of tax due on beverages of low alcoholic content in order to encourage accurate reporting and timely remittance of the taxes due on beverages of low alcoholic content. Further provides a discount of 3-1/3% of the amount of tax due on beverages of high alcoholic content in order to encourage accurate reporting and timely remittance of the taxes due on beverages of low alcoholic content.

Proposed law reduces the discount from 2% of the amount of the tax due to 1% of the amount of the tax due for the accurate reporting and timely remittance of taxes on beverages of low alcoholic content. Additionally, reduces the discount from 3-1/3% of the amount of the tax due to 1-2/3% of the amount of tax due for the accurate reporting and timely remittance of taxes due on beverages of high alcoholic content.

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

(Amends R.S. 26:345 and 354(D))