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HOUSE FLOOR AMENDMENTS

2016 Second Extraordinary Session

Amendments proposed by Representative Broadwater to Engrossed House Bill No. 27 by Representative Broadwater

1 AMENDMENT NO. 1

- 2 On page 1, line 2, following "reenact" change "R.S.47:301(10)(c)(i)(aa) " to "R.S.47:301
- 3 (introductory paragraph) and (10)(c)(i)(aa) "
- 4 AMENDMENT NO. 2
- 5 On page 1, line 3, after "processing;" and before "to" insert the following:
- 6 "to authorize credits under certain circumstances; to provide for definitions;"
- 7 AMENDMENT NO. 3
- 8 On page 1, line 4, after "effectiveness" and before the semi-colon ";" insert "and 9 applicability"
- 10 AMENDMENT NO. 4
- 11 On page 1, line 7, following "Section 1." change "R.S.47:301(10)(c)(i)(aa) is" to 12 "R.S.47:301 (introductory paragraph) and (10)(c)(i)(aa) are"
- 13 AMENDMENT NO. 5
- 14 On page 1, at the beginning of line 11, change "meaning" to "meanings"
- 15 AMENDMENT NO. 6
- 16 On page 1, line 17, after "sale at retail" delete "<u>which</u>" and insert "<u>when</u>"
- 17 <u>AMENDMENT NO. 7</u>
- 18 On page 1, delete line 18 in its entirety and insert the following:
- 19 "all of the criteria in Subsubitem (I) of this Subitem are met."
- 20 AMENDMENT NO. 8
- 21 On page 1, line 19, after "(<u>(I)</u>" insert "(<u>aaa</u>)"
- 22 AMENDMENT NO. 9
- 23 On page 1, line 20, after "<u>the</u>" delete "<u>primary</u>"
- 24 AMENDMENT NO. 10
- 25 On page 2, delete line 1 in its entirety and insert the following:

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

1	"(bbb) The raw materials are beneficial to the end product."
2	AMENDMENT NO. 11
3	On page 2, at the beginning of line 2, delete "(III)" and insert "(ccc)"
4	AMENDMENT NO. 12
5	On page 2, delete line 3 in its entirety and insert the following:
6	"purchased for the purpose of inclusion into the end product."
7	AMENDMENT NO. 13
8	On page 2, between lines 3 and 4, insert the following:
9 10 11	"(II) For purposes of this Subitem, the term "sale at retail" shall not include the purchase of raw materials for the production of raw or processed agricultural, silvicultural, or aquacultural products.
12 13 14 15	"(III)(aaa) If the materials are further processed into a byproduct for sale, such purchases of materials shall not be deemed to be sales for further processing and shall be taxable. For purposes of this Subitem, the term "byproduct" shall mean any incidental product that is sold for a sales price less than the cost of the materials.
16 17 18 19 20 21	(bbb) In the event a byproduct is sold at retail in this state for which a sales and use tax has been paid by the seller on the cost of the materials, which materials are used partially or fully in the manufacturing of the byproduct, a credit against the tax paid by the seller shall be allowed in an amount equal to the sales tax collected and remitted by the seller on the taxable retail sale of the byproduct. * * * *
22	AMENDMENT NO. 14

On page 2, line 5, after "Therefore," delete the remainder of the line, delete lines 6 through
8 in their entirety, and insert the following:

"the provisions of this Act shall be retroactive and applicable to all refund claims
submitted or assessments of additional taxes due which are filed on or after the
effective date of this Act. Notwithstanding the foregoing, the provisions of this Act
shall not be applicable to any existing claim for refund filed or assessment of
additional taxes due issued prior to the effective date of this Act for any tax period
prior to July 1, 2016, which is not barred by prescription."