

2017 Regular Session

SENATE BILL NO. 97

BY SENATOR FANNIN

TAX EXEMPTIONS. Provides relative to the sales and use tax exemption for feed, seed, and fertilizer used by commercial farmers. (7/1/17)

1 AN ACT

2 To amend and reenact R.S. 47:301(10)(e), 305.3, and 305.8 and to enact R.S. 47:301(30),
3 relative to sales tax; to provide relative to certain agricultural sales and use tax
4 exemptions; to define commercial farmer; to provide for an effective date; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 47:301(10)(e), 305.3, and 305.8 are hereby amended and reenacted
8 and R.S. 47:301(30) is hereby enacted 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 (10) * * *

15 (e) The term "sale at retail" does not include the sale of raw agricultural
16 commodities, including but not limited to feed, seed, and fertilizer, to be utilized in
17 preparing, finishing, manufacturing, or producing crops or animals for market by a

1 **commercial farmer as defined in R.S. 47:301(30)** of pesticides used for
 2 agricultural purposes, including particularly but not by way of limitation,
 3 insecticides, herbicides and fungicides.

4 Section 2. This Act shall become effective on July 1, 2017.

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

DIGEST

SB 97 Original

2017 Regular Session

Fannin

Present law provides for sales and use exemptions and exclusions for certain agricultural inputs including feed, seed, fertilizer, and pesticides that are used by anyone in preparing, finishing, manufacturing, or producing crops or animals for market.

Proposed law retains the present law exclusions and exemptions, but limits their application to commercial farmers who are defined by proposed law as persons who produce such food or commodities at a profit and not as a hobby.

Effective July 1, 2017.

(Amends R.S. 47:301(10)(e), 305.3, and 305.8; adds R.S. 47:301(30))