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

SB 16	6 Original	DIGEST 2017 Regular Session		Morrell
Present law provides for the following exemptions, exclusions and deductions:				
(1)	R.S. 3:84 - License fee and tax liability			
(2)	R.S. 12:425 - Taxation			
(3)	R.S. 22:2065 - Tax exemptio	n		
(4)	R.S. 26:345 - Discount on taxes on beverages of low alcoholic content			
(5)	R.S. 47:48 - Exclusion from gross income; interest on Louisiana state or local government obligations			
(6)	R.S. 47:51 - Exclusions from	gross income; governn	nental subsidies	
(7)	R.S. 47:121 - Exemptions from tax on corporations			
(8)	R.S. 47:633 - Rates of tax			
(9)	R.S. 47:713 - Exclusions and e	exemptions; casinghead	gasoline sold for comm	nercial blending
(10)	R.S. 47:716.1 - Exclusions and exemptions; aviation gasoline			
(11)	R.S. 3:147 - Annual license f	ees		
(12)	R.S. 3:4684 - Fee to be collec	eted for testing, etc.		
(13)	R.S. 26:354 - Payment and reporting of taxes; discounts; rules and regulations; enforcement; forfeitures and penalties; redemption of tax stamps			
(14)	R.S. 26:366 - Exported bever	ages not subject to tax		
(15)	R.S. 26:421 - Exempt products			
(16)	R.S. 45:1177 - Inspection and supervision fees; Utility and Carrier Inspection and Supervision Fund			

(17) R.S. 47:158 - Basis for depletion

- (18) R.S. 47:246 Corporations; deduction from net income from Louisiana sources
- (19) R.S. 47:287.71 Modifications to federal gross income
- (20) R.S. 47:287.73 Modifications to deductions from gross income allowed by federal law
- (21) R.S. 47:287.86 Net operating loss deduction
- (22) R.S. 47:287.501 Exemption from tax on corporations
- (23) R.S. 47:287.521 Farmers' cooperatives; all cooperatives
- (24) R.S. 47:287.732 S Corporations
- (25) R.S. 47:287.738 Other inclusions and exclusions from gross income
- (26) R.S. 47:287.745 Deductions from gross income; depletion
- (27) R.S. 47:602 Determination of taxable capital
- (28) R.S. 47:605 Surplus and undivided profits
- (29) R.S. 47:606 Allocation of taxable capital
- (30) R.S. 47:632 Taxes payable by owners; lien and privilege created
- (31) R.S. 47:713 Exclusions and exemptions; casinghead gasoline sold for commercial blending
- (32) R.S. 47:716.1 Exclusions and exemptions; aviation gasoline
- (33) R.S. 818.13 Point of imposition of the tax
- (34) R.S. 47:823 Rate of tax

Proposed law eliminates present law on January 1, 2021.

<u>Proposed law</u> provides that exclusions or exemptions in state law do not apply to any sales and use tax levied under R.S. 47:302, 321, 321.1, 331, or R.S. 51:1286 except as follows:

- (1) Any exclusion or exemption which causes the tax to be levied upon a sale which is not a retail sale of, not a use, consumption, distribution, or storage for use or consumption of, or not the lease or rental of, an item or article of tangible personal property.
- (2) The exclusion or exemption is required by federal law or the Constitution of the United States.

(3) The exclusion or exemption is required pursuant to an agreement by the state of Louisiana for the operation of a public facility.

<u>Proposed law</u> provides that the limitation on such exclusions or exemptions apply to all taxable periods beginning on or after January 1, 2018.

Effective August 1, 2017.

(Amends R.S. 3:84 and 147, R.S. 12:425, R.S. 22:2065, R.S. 26:345, R.S. 47:48, 51, 121, 713 and 716.1; adds R.S. 3:4684(C), R.S. 26:354(L), 366(C) and 421(F), R.S. 45:1177(D), R.S. 47:158(I), 246(H), 287.71(C), 287.73(D), 287.86(F), 287.501(C), 287.521(C), 287.732(D), 287.738(H), 287.745(C), 602(I), 605(D), 606(G), 632(C), 633.1, 818.13(I) and 823(F))