

2017 Regular Session

HOUSE BILL NO. 642

BY REPRESENTATIVE MCFARLAND

TAX/SALES-USE, STATE: Provides relative to the state sales and use tax

1 AN ACT

2 To amend and reenact R.S. 47:321.1(A)(introductory paragraph), (B)(introductory
3 paragraph) and (1), (C), and (D), relative to the state sales and use tax; to provide
4 for the imposition of the state sales and use tax; to provide for effectiveness; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 47:321.1(A)(introductory paragraph), (B)(introductory paragraph)
8 and (1), (C), and (D) are hereby amended and reenacted to read as follows:

9 §321.1. Imposition of Tax

10 A. In addition to the tax levied by R.S. 47:302(A), 321(A), and 331(A) and
11 collected under the provisions of Chapter 2 of ~~this~~ Subtitle II of this Title, there is
12 hereby levied an additional tax upon the sale at retail, the use, the consumption, the
13 distribution, and the storage for use or consumption in this state of each item or
14 article of tangible personal property as defined in Chapter 2 of ~~this~~ Subtitle II of this
15 Title. The levy of said tax shall be as follows:

16 * * *

17 B. In addition to the tax levied by R.S. 47:302(B), 321(B), and 331(B) and
18 collected under the provisions of Chapter 2 of ~~this~~ Subtitle II of this Title, there is
19 hereby levied a tax upon the lease or rental within this state of each item or article

1 of tangible personal property, as defined by Chapter 2 of ~~this~~ Subtitle II of this Title;
2 the levy of the tax to be as follows:

3 (1) At the rate of one percent of the gross proceeds derived from the lease
4 or rental of tangible personal property, as defined in Chapter 2 of ~~this~~ Subtitle II of
5 this Title, where the lease or rental of such property is in an established business, or
6 part of an established business, or the same is incidental or germane to the business.

7 * * *

8 C. In addition to the tax levied on sales of services by R.S. 47:302(C),
9 321(C), and 331(C) and collected under the provisions of Chapter 2 of ~~this~~ Subtitle
10 II of this Title, there is hereby levied a tax upon all sales of services in this state, as
11 those services are defined by Chapter 2 of ~~this~~ Subtitle II of this Title, at the rate of
12 one percent of the amounts paid or charged for the services.

13 D. The tax levied herein shall be collected from the dealer or wholesaler as
14 provided for and as defined by Chapter 2 of ~~this~~ Subtitle II of this Title; shall be paid
15 at the time and in the manner provided therein; shall be in addition to all other taxes,
16 whether levied in the form of sales, excise, license, or privilege taxes; and shall be
17 in addition to taxes levied under the provisions of Chapter 2 of ~~this~~ Subtitle II of this
18 Title.

19 * * *

20 Section 2. This Act shall become effective on July 1, 2017; if vetoed by the governor
21 and subsequently approved by the legislature, this Act shall become effective on July 1,
22 2017, or on the day following such approval by the legislature, whichever is later.

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)]

HB 642 Original 2017 Regular Session McFarland

Abstract: Modifies provisions relative to imposition of the state sales and use tax.

Present law levies a one cent state sales and use tax on the sale at retail, the use, the consumption, the distribution, the storage for use or consumption, and the lease or rental in

this state of each item or article of tangible personal property and a one cent state sales and use tax on the performance of certain services.

Proposed law modifies present law.

Effective July 1, 2017.

(Amends R.S. 47:321.1(A)(intro. para.), (B)(intro. para.) and (1), (C), and (D))