

## RÉSUMÉ DIGEST

**ACT 86 (SB 226)**

**2019 Regular Session**

**Barrow**

Prior law authorized the governing authority of East Baton Rouge Parish to create, by ordinance, one or more capital improvement districts within the parish.

New law changes prior law to provide that any parish with a population of more than 440,000 persons as established by the most recent federal decennial census is authorized to create, by ordinance, one or more capital improvement districts within the parish.

Prior law authorized the governing authority of East Baton Rouge Parish, as the governing authority of the district, in order to fund projects of capital improvement within any district, to levy a sales and use tax, in addition to all other taxes currently levied in East Baton Rouge Parish. Prior law did not include an exemption for food and prescription drugs.

New law authorizes the governing authority of the parish, as the governing authority of the district, in order to fund projects of capital improvement within any district, to levy a sales and use tax, in addition to all other taxes currently levied in the parish. New law contains an exemption from the tax for the sale at retail, the use, the consumption, the distribution, and the storage for use or consumption, in the parish of food for home consumption and prescription drugs in accordance with the definitions of food for home consumption and drugs provided in R.S. 47:305.

Prior law provided that the tax shall be in addition to all other taxes currently levied in East Baton Rouge Parish, and the procedure established by R.S. 47:301 through 317 shall be followed in the imposition, collection, and enforcement of the tax.

New law provides that the tax shall be in addition to all other taxes currently levied in the parish, and the procedure established by R.S. 47:301 through 317 shall be followed in the imposition, collection, and enforcement of the tax.

Prior law authorized the governing authority of East Baton Rouge Parish to levy ad valorem taxes on property located within the district, to be used exclusively for capital improvements within the district.

New law authorizes the governing authority of the parish to levy ad valorem taxes on property located within the district, to be used exclusively for capital improvements within the district.

Prior law and new law require the approval of a majority of the electors voting in the election who reside in the district prior to the imposition of the sales tax or the ad valorem tax.

Prior law and new law provide for public hearings prior to the elections.

Prior law and new law authorize the election proposition to include the funding of the additional sales tax or the ad valorem tax into bonds.

New law provides that the provisions of new law relative to the sales and use tax exemptions for food and prescription drugs are intended to clarify that such exemptions were always intended and believed to be exempt from taxation and therefore these provisions shall be applied retroactively, as well as prospectively.

Effective upon signature of the governor (June 4, 2019).

(Amends R.S. 33:2740.9)