

2020 Second Extraordinary Session

HOUSE BILL NO. 94 (Substitute for House Bill No. 27 by Representative Zeringue)

BY REPRESENTATIVE ZERINGUE

FEES/LICENSES/PERMITS: Provides relative to fees charged to businesses by state agencies during a state of emergency (Items #2, 32, and 35)

1 AN ACT

2 To enact R.S. 29:732.1, relative to fees charged to businesses by state agencies during a state
3 of emergency or public health emergency; to exempt payment of certain fees for a
4 certain time; to provide for reporting requirements; to provide for extension of the
5 exemption; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 29:732.1 is hereby enacted to read as follows:

8 §732.1. Fees charged to businesses

9 A. For the purposes of this Section, the following terms shall have the
10 following meanings:

11 (1) "Affected business" shall mean a for-profit corporation, a limited liability
12 company, a partnership, or a sole proprietorship that meets all of the following
13 criteria:

14 (a) Had a physical and active operation in Louisiana as of March 1, 2020.

15 (b) Had fifty or fewer full-time equivalent employees as of March 1, 2020.

16 (c) Is not a subsidiary of a business with more than fifty full-time equivalent
17 employees, is not part of a larger business enterprise with more than fifty full-time
18 equivalent employees, and is not owned by a business with more than fifty full-time
19 equivalent employees.

1 (d) Ceased operations or suffered an interruption in business due to one of
2 the governor's public health emergency proclamations related to the COVID-19
3 public health emergency.

4 (e) Is assigned a North American Industry Classification System Code of
5 4421, 4422, 4481, 4482, 4483, 4511, 4512, 4531, 4532, 4533 4539, 7111, 7131,
6 7139, 7223, 7224, 7225, or 8121.

7 (2) "Agency" shall mean the boards, commissions, departments, agencies,
8 offices, officers, and other instrumentalities placed within the executive branch of
9 state government as provided in Title 36 of the Louisiana Revised Statutes of 1950.

10 (3) "COVID-19 public health emergency" shall mean the public health
11 emergency originally declared by Proclamation Number 25 JBE 2020 as extended
12 by any subsequent proclamations.

13 B. An affected business shall be exempt from the payment of any license
14 renewal fee that is attributable to the business's operation until six months after the
15 termination of the COVID-19 public health emergency as provided in this Chapter.

16 C. The division of administration shall submit a report to the Joint
17 Legislative Committee on the Budget by December 1, 2020, indicating each agency
18 fee which has been exempted pursuant to this Section.

19 D. The Joint Legislative Committee on the Budget may, by a two-thirds vote
20 of the committee, further extend any fee exemption included in this Section for an
21 additional six months.

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 94 Original 2020 Second Extraordinary Session Zeringue

Abstract: Exempts certain businesses impacted by COVID-19 from paying license renewal fees for six months following the termination of the declared state of emergency.

Proposed law exempts certain businesses from paying license renewal fees attributable to business operations for six months following the termination of the COVID-19 declared state of emergency.

Proposed law requires the businesses to meet the following criteria to qualify for the exemption:

- (1) Had a physical and active operation in La. as of March 1, 2020.
- (2) Had 50 or fewer full-time equivalent employees as of March 1, 2020.
- (3) Is not a subsidiary of a business with more than 50 full-time equivalent employees, not part of a larger business enterprise with more than 50 full-time equivalent employees, and is not owned by a business with more than 50 full-time equivalent employees.
- (4) Ceased operations or suffered an interruption in business due to one of the governor's emergency proclamations related to the COVID-19 public health emergency.
- (5) Falls under one of the following North American Industry Classification System categories:

(a) Furniture Stores	(j) Used Merchandise Stores
(b) Home Furnishings Stores	(k) Other Miscellaneous Store Retailers
(c) Clothing Stores	(l) Performing Arts Companies
(d) Shoe Stores	(m) Amusement Parks and Arcades
(e) Jewelry, Luggage, and Leather Goods Stores	(n) Other Amusement and Recreation Industries
(f) Sporting Goods, Hobby, and Musical Instrument Stores	(o) Special Food Services
(g) Book Stores and News Dealers	(p) Drinking Places (Alcoholic Beverages)
(h) Florists	(q) Restaurants and Other Eating Places
(i) Office Supplies, Stationery, and Gift Stores	(r) Personal Care Services

Proposed law requires the division of administration to submit a report to the Joint Legislative Committee on the Budget (JLCB) by Dec.1, 2020, indicating each agency fee which has been exempted.

Proposed law allows JLCB to further extend any fee exemption pursuant to proposed law by an additional 6 months by a vote of 2/3 of the committee.

(Adds R.S. 29:732.1)