
DIGEST

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HB 94 Reengrossed

2020 Second Extraordinary Session

Zeringue

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

Proposed law exempts an affected business from paying any license renewal fee during the COVID-19 public health emergency or within six months after the termination of the emergency. Prohibits any agency from deferring payment of the fee.

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
 - (b) Home Furnishings Stores
 - (c) Clothing Stores
 - (d) Shoe Stores
 - (e) Jewelry, Luggage, and Leather Goods Stores
 - (f) Sporting Goods, Hobby, and Musical Instrument Stores
 - (g) Book Stores and News Dealers
 - (h) Florists
 - (i) Office Supplies, Stationery, and Gift Stores

- (j) Used Merchandise Stores
- (k) Other Miscellaneous Store Retailers
- (l) Performing Arts Companies
- (m) Amusement Parks and Arcades
- (n) Other Amusement and Recreation Industries
- (o) Special Food Services
- (p) Drinking Places (Alcoholic Beverages)
- (q) Restaurants and Other Eating Places
- (r) Personal Care Services

Proposed law defines "license renewal fee" as any fee associated with the renewal of an occupational license, permit, or certification, or other license attributable to the affected business's operation that becomes due for payment during the period specified in proposed law.

Proposed law requires the secretary of state to develop a standard application form for each affected business to complete to qualify for the fee exemption. Requires the application form to include an attestation that the business meets the qualifications provided for in proposed law and to indicate to the applicant that intentionally providing false statements on the form may subject the applicant to criminal penalties.

Proposed law requires the secretary of state to provide the application form to each agency that regulates any industry provided for in proposed law. Requires each agency to make the form available to all applicants licensed, certified, or permitted by the agency. Provides that upon submission of the form to the respective agency, the individual applying shall be exempt from payment of the fee. Requires a separate application to be submitted for each fee exemption.

Proposed law provides that any individual who intentionally submits false information on the form shall be subject to the criminal penalties provided for in present law (R.S. 14:133).

Proposed law does not apply to fees collected pursuant to present law provisions relative to weighing and measuring devices and services (R.S. 3:4622), horse racing (R.S. 4:169), retail food establishments (R.S. 40:31.37), and the secretary of state (R.S. 49:222).

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 six months by a vote of 2/3 of the committee.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 29:732.1)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Add definition of "license renewal fee".
2. Add provisions requiring the secretary of state to develop a standard application form and specifying required components of the form.
3. Add provisions requiring the secretary of state to provide the application form to each agency that regulates an industry provided in proposed law and requiring each agency to make the application form available to applicants licensed, certified, or permitted by the agency.
4. Add provisions specifying that upon submission of the form to the respective agency, the individual applying shall be exempt from payment of the fee and requiring a separate application to be submitted for each fee exemption.
5. Add provisions stating that any individual who intentionally submits false information on the form shall be subject to the criminal penalties provided for in present law (R.S. 14:133).
6. Provide an exemption from proposed law for fees collected pursuant to present law (R.S. 3:4622, R.S. 4:169, R.S. 40:31.37, and R.S. 49:222).
7. Make proposed law effective upon signature of governor or lapse of time for gubernatorial action.