

2021 Regular Session

HOUSE BILL NO. 50

BY REPRESENTATIVE STEFANSKI AND SENATORS ABRAHAM AND HENSGENS

1 AN ACT

2 To enact R.S. 47:301(7)(m), 302(BB)(114), 321(P)(115), 321.1(I)(115), and 331(V)(115),
3 relative to state sales and use tax; to provide for a state sales and use tax exclusion
4 for certain leases or rentals of items of tangible personal property; to provide for
5 definitions; to provide for an effective date; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 47:301(7)(m), 302(BB)(114), 321(P)(115), 321.1(I)(115), and
8 331(V)(115) are hereby enacted to read as follows:

9 §301. Definitions

10 As used in this Chapter the following words, terms, and phrases have the
11 meanings ascribed to them in this Section, unless the context clearly indicates a
12 different meaning:

13 * * *

14 (7)

15 * * *

16 (m)(i) For purposes of any sales, use, lease, or rental tax, the term "lease or
17 rental" shall not mean or include the lease or rental of any item of tangible personal
18 property by a short-term equipment rental dealer for the purpose of re-lease or re-
19 rental.

20 (ii) For purposes of this Subparagraph, "short-term equipment rental dealer"
21 shall mean a person or entity whose principal business is the short-term rental of
22 tangible personal property classified under the code numbers 532412 and 532310 of

1 the North American Industry Classification System published by the United States
2 Bureau of the Census.

3 (iii) For purposes of this Subparagraph, "short-term rental" shall mean the
4 rental of an item of tangible personal property for a period of less than three hundred
5 sixty-five days, for an undefined period, or under an open-ended agreement.

6 * * *

7 §302. Imposition of tax

8 * * *

9 BB. Notwithstanding any other provision of law to the contrary, including
10 but not limited to any contrary provisions of this Chapter, beginning July 1, 2018,
11 through June 30, 2025, there shall be no exemptions and no exclusions to the tax
12 levied pursuant to the provisions of this Section, except for the retail sale, use,
13 consumption, distribution, or storage for use or consumption of the following:

14 * * *

15 (114) Leases or rentals by a short-term equipment rental dealer for the
16 purpose of re-lease or re-rental as provided in R.S. 47:301(7)(m).

17 * * *

18 §321. Imposition of tax

19 * * *

20 P. Notwithstanding any other provision of law to the contrary, including but
21 not limited to any contrary provisions of this Chapter, beginning July 1, 2018,
22 through June 30, 2025, there shall be no exemptions and no exclusions to the tax
23 levied pursuant to the provisions of this Section, except for the retail sale, use,
24 consumption, distribution, or storage for use or consumption of the following:

25 * * *

26 (115) Leases or rentals by a short-term equipment rental dealer for the
27 purpose of re-lease or re-rental as provided in R.S. 47:301(7)(m).

28 * * *

29 §321.1. Imposition of tax

30 * * *

1 I. Notwithstanding any other provision of law to the contrary, including but
2 not limited to any contrary provisions of this Chapter, beginning July 1, 2018,
3 through June 30, 2025, there shall be no exemptions and no exclusions to the tax
4 levied pursuant to the provisions of this Section, except for the retail sale, use,
5 consumption, distribution, or storage for use or consumption of the following:

6 * * *

7 (115) Leases or rentals by a short-term equipment rental dealer for the
8 purpose of re-lease or re-rental as provided in R.S. 47:301(7)(m).

9 * * *

10 §331. Imposition of tax

11 * * *

12 V. Notwithstanding any other provision of law to the contrary, including but
13 not limited to any contrary provisions of this Chapter, beginning July 1, 2018,
14 through June 30, 2025, there shall be no exemptions and no exclusions to the tax
15 levied pursuant to the provisions of this Section, except for the retail sale, use,
16 consumption, distribution, or storage for use or consumption of the following:

17 * * *

18 (115) Leases or rentals by a short-term equipment rental dealer for the
19 purpose of re-lease or re-rental as provided in R.S. 47:301(7)(m).

20 * * *

21 Section 2. This Act shall become effective October 1, 2021.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____