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 DIGEST

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SB 443 Engrossed

2022 Regular Session

Allain

Present law authorizes qualified taxpayers to apply for state direct pay (DP) numbers allowing the purchaser to make all purchases without remitting the sales and use tax to their vendors and allowing the purchaser to report and pay the tax due directly to the Dept. of Revenue (DOR) and local tax collection authorities.

Proposed law retains present law.

Present law requires DOR to notify local tax collectors when a taxpayer qualifies for a DP Number and authorizes DOR and the impacted local collector to review the application and audit the taxpayer to determine if the taxpayer meets the qualifications for issuance of a DP number.

Proposed law provides a 60-day time frame from receipt of the application by the local collector to respond to the taxpayer's request for a DP Number and further provides that if the local collector does not respond to the request within 60 days of receipt of the application, DOR will issue a state and local DP Number.

Proposed law requires the application to be submitted to the local collector in a manner that provides actual notice of the application including but not limited to submission by certified mail that is signed for and received by the local collector.

Proposed law provides that if the taxpayer meets the qualifications of present law for issuance of a DP number but approval is denied in writing by the local collector within 60 days of receipt of the application by the local collector, DOR shall issue a DP Number to the taxpayer applicable only for the purposes of state sales and use tax.

Proposed law requires local collectors to notify DOR when a taxpayer no longer qualifies for a DP Number, requires DOR to investigate, and provides an appeal by a local collector to the Board of Tax Appeals if DOR does not revoke a DP Number when the taxpayer no longer qualifies.

Effective January 1, 2023.

(Amends R.S. 47:303.1(C) and (G); Repeals R.S. 47:303.1(D))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Revenue and Fiscal Affairs to the original bill

1. Removes provisions authorizing direct payment numbers for contractors within the boundaries of an Economic Development District with a state tax increment.
2. Corrects internal references and provides for technical changes.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Ways and Means to the engrossed bill:

1. Specify that the 60-day time frame for local collectors to respond to a taxpayer's request for a DP Number begins from receipt of the application by the local collector.
2. Require the DP number application to be submitted to the local collector in a manner that provides actual notice of the application including submission by certified mail that is signed for and received by the local collector.