
DIGEST

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HB 558 Original

2023 Regular Session

Beaullieu

Abstract: Moves responsibility for the management and supervision of the uniform electronic local return and remittance system from the Dept. of Revenue to the La. Uniform Local Sales Tax Board and requires the board to design and implement a single remittance system whereby each taxpayer can remit state and local sales and use taxes through a single transaction.

Present law provides for the establishment of a uniform electronic local return and remittance system whereby a taxpayer may file a sales and use tax return of a taxing authority and remit any tax, interest, penalty, or other charge due by means of the uniform electronic local return and remittance system. The uniform electronic local returns and remittance system shall be established, managed, and supervised by the Dept. of Revenue (DOR) and shall be done at no charge to the taxpayer by the state, the collector, or any taxing authority levying a tax.

Present law establishes the Uniform Electronic Local Return and Remittance Advisory Committee (committee) which is under the jurisdiction of DOR and which is charged with advising DOR concerning the design, implementation, and operation of the uniform electronic local returns and remittance system. Present law authorizes the committee to make enforceable recommendations to DOR concerning the design, implementation, and operation of the uniform electronic local returns and remittance system.

Proposed law changes present law by transferring management and supervision of the uniform electronic local returns and remittance system including the posting of certain information and links on a web page and providing for the staffing and equipment necessary to operate the system from DOR to the La. Uniform Local Sales Tax Board (board) and moving jurisdiction over the committee from DOR to the board. Proposed law further requires the board to *maintain* the uniform electronic local returns and remittance system and authorizes the committee to make recommendations concerning the *maintenance* of the uniform electronic local returns and remittance system.

Present law provides for the membership, duties, and responsibilities of the committee.

Proposed law retains present law but requires the committee to work in conjunction with the board *rather* than the secretary of DOR.

Present law provides for the board as a political subdivision of the state, for the purpose of promoting uniform procedures and policies concerning the collection and administration of local sales and use taxes, and to provide policy advice and support to local sales and use tax collectors. Present law provides for membership of the board, member appointments and other aspects of

membership on the board.

Present law provides for the authority of the board, including the following activities:

- (1) Support and advise local tax collectors concerning collection and administration of local sales and use taxes, including the prescription of uniform forms and model procedures, and the provision of educational and training programs for tax collectors.
- (2) Promulgate rules and regulations pursuant to the APA relating to local sales and use tax, specifically including rules for a voluntary disclosure program and a uniform refund request and approval process.
- (3) Procure the development of computer software and equipment for the collection and administration of local sales and use taxes.
- (4) Implement and coordinate a multi-parish audit program.

Proposed law retains present law but requires the board to do all of the following:

- (1) Manage, maintain, and supervise the uniform electronic local return and remittance system by which taxpayers can electronically file and remit sales and use taxes.
- (2) Design, implement, manage, maintain, and supervise a single remittance system whereby each taxpayer can remit state and local sales and use taxes through a single transaction. Proposed law requires any contract or the selection of a provider by the board to design a single remittance system, including the procurement of software, hardware, or any other technology or electronic platform, or service to be procured through the office of technology services and in compliance with present law.
- (3) Design, manage, maintain, and supervise a link on the board's web page for the posting of information required to be posted pursuant to present law (R.S. 47:337.23(I)).

Present law provides for funding of the board through a dedication of a percentage of the total statewide collections of local sales and use taxes on motor vehicles, not to exceed three-tenths of 1% of the collections.

Proposed law retains present law with respect to the funding of the board and the maximum amount of monies the board may deduct from collections; however, proposed law requires the board to fund the initial costs incurred for designing and implementing a single remittance system from the percentage of funding it currently receives.

Proposed law requires the state and local collectors to share the initial costs of designing and implementing a single remittance system; however, funding for initial costs shall not extend for more than 24 months. Thereafter, the board shall fund the costs associated with the management, maintenance, and supervision of the single remittance system from the funding it currently receives

pursuant to present law.

Effective January 1, 2024.

(Amends R.S. 47:337.23 and 337.102(C) and (I)(1) and (2)(a); Adds R.S. 47:337.102(I)(4))