

CONFERENCE COMMITTEE REPORT
House Bill No. 653 By Representative Robideaux

June 6, 2013

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 653 by Representative Robideaux, recommend the following concerning the Engrossed bill:

1. That the set of amendments proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on May 30, 2013, be adopted.
2. That the set of amendments proposed by the Senate Committee on Finance and adopted by the Senate on June 1, 2013, be adopted.
3. That the set of three Senate Floor Amendments proposed by Senator Morrish and adopted by the Senate on June 3, 2013, be rejected.
3. That the Engrossed bill be amended as follows:

AMENDMENT NO. 1

In Senate Committee Amendment No. 4 proposed by the Senate Committee on Finance and adopted by the Senate on June 1, 2013, on page 1, line 16, after "Chapter" and before "shall" insert a comma "," and insert "and Chapters 2-A and 2-B of this Subtitle, and R.S. 51:1286"

Respectfully submitted,

Representative Joel Robideaux

Senator John Alario

Representative Patrick Williams

Senator Robert Adley

Representative Jeff Arnold

Senator Neil Riser

 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)]

CONFERENCE COMMITTEE REPORT DIGEST

House Bill No. 653 by Representative Robideaux

Keyword and oneliner of the instrument as it left the House

TAX/SALES & USE: Changes the rate of dealer's compensation for accounting for and remitting state sales and use taxes, changes the dedication of sales and use tax to the Marketing Fund and the La. Economic Development Fund, and provides with respect to collection of use tax on remote sales

Report adopts Senate amendments to:

1. Change the rate of dealer's compensation from 1% to .935% of taxes collected and remitted, and remove the \$100 per month cap.
2. Dedicate to the Marketing Fund and the La. Economic Development Fund an amount equal to four-tenths of one percent of the proceeds of the 2 cent levy of the state sales and use tax.
3. Deletes language tying enactment of proposed law to concurrence and enactment of various House bills.

Report rejects Senate amendments which would have:

1. Dedicated to the Regional Awards and Matching Grant Program \$500,000 from the monies dedicated to the Marketing Fund and the La. Economic Development Fund under present law.

Report amends the bill to:

1. Add the 1%, 0.97%, and .03% state sales and use tax levies to the base used to calculate the dedication for the Marketing Fund and the La. Economic Development Fund.

Digest of the bill as proposed by the Conference Committee

Present law imposes a 4% state tax upon the sale, use, consumption, storage, or rental of certain tangible personal property and services.

Present law provides that a dealer may deduct and retain an amount equal to 1.1% of taxes collected as compensation for accounting for and remitting the taxes in a timely manner.

Proposed law changes present law by changing the rate of dealer compensation from 1.1% to .935% of taxes collected.

Present law requires that an amount equal to 37% of the amount paid each year in dealer's compensation be deposited into the Marketing Fund (\$2 million) and the La. Economic Development Fund (residual). Monies in the Marketing fund are dedicated for specific economic development and marketing purposes.

Proposed law changes present law by requiring that an amount equal to four-tenths of one percent of the proceeds of the 4% state sales and use tax levies be deposited into the Marketing Fund (\$2 million) and the La. Economic Development fund (residual).

Proposed law provides that it is the duty of the secretary of the Dept. of Revenue to collect taxes due upon the sale in La. of tangible personal property or services by a remote seller. Further, proposed law authorizes and directs the secretary to use all means available to ensure the collection of such taxes.

Applicable to taxable transactions occurring on and after July 1, 2013.

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

(Amends R.S. 47:306(A)(3) and 318(A); adds R.S. 47:302(U))