

Regular Session, 2014

HOUSE BILL NO. 255

BY REPRESENTATIVE ORTEGO

TAX/HOTEL OCCUPANCY: Authorizes the governing authority of the city of Carencro to levy a hotel occupancy tax

1 AN ACT

2 To enact R.S. 47:338.212, relative to the city of Carencro; to authorize the city to levy a
3 hotel occupancy tax; to provide for the use of tax revenues; and to provide for related
4 matters.

5 Notice of intention to introduce this Act has been published
6 as provided by Article III, Section 13 of the Constitution of
7 Louisiana.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 47:338.212 is hereby enacted to read as follows:

10 §338.212. City of Carencro; hotel occupancy tax; authorization

11 A.(1) In addition to any other tax levied and collected, the governing
12 authority of the city of Carencro may levy and collect a tax upon the paid occupancy
13 of hotel rooms located within the city. The hotel occupancy tax shall not exceed four
14 percent of the rent or fee charged for such occupancy.

15 (2) The word "hotel" as used in this Section shall mean and include any
16 establishment, public or private, engaged in the business of furnishing or providing
17 rooms or overnight camping facilities intended or designed for dwelling, lodging, or
18 sleeping purposes to transient guests where such establishment consists of two or
19 more guest rooms and does not encompass any hospital, convalescent or nursing

1 home or sanitarium, or any hotel-like facility operated by or in connection with a
2 hospital or medical clinic providing rooms exclusively for patients and their families.

3 (3) The person who exercises or is entitled to occupancy of the hotel room
4 shall pay the hotel occupancy tax at the time the rent or fee for occupancy is paid.
5 "Person" as used herein shall have the same definition as that contained in R.S.
6 47:301(8).

7 B. The governing authority of the city of Carencro shall impose the hotel
8 occupancy tax by ordinance or resolution. The governing authority may adopt such
9 ordinance or resolution only after a proposition authorizing the levy of the tax has
10 been approved by a majority of the electors of the city voting at an election held for
11 that purpose in accordance with the Louisiana Election Code. The governing
12 authority may provide in the ordinance or resolution necessary and appropriate rules
13 and regulations for the imposition, collection, and enforcement of the hotel
14 occupancy tax.

15 C. The governing authority may enter into a contract with any public entity
16 authorized to collect sales or use taxes, under such terms and conditions as it may
17 deem appropriate including payment of a reasonable collection fee for the collection
18 of the hotel occupancy tax authorized by this Section. The hotel occupancy tax shall
19 be in addition to all taxes levied upon the occupancy of hotel rooms located within
20 the city.

21 D. Except as provided in Subsection C of this Section, the governing
22 authority of the city shall use the proceeds of the tax to fund the construction and
23 maintenance of water and sewer infrastructure, economic development, and the
24 promotion of tourism within the city.

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)]

Ortego

HB No. 255

Abstract: Authorizes the city of Carencro, in Lafayette Parish, to levy and collect a hotel tax at a rate not to exceed 4%, subject to voter approval.

Proposed law authorizes the governing authority of Carencro (Lafayette Parish), subject to voter approval, to levy and collect a hotel occupancy tax. Provides that such tax shall not exceed 4% of the rent or fee charged for such occupancy.

Proposed law requires that the tax be paid by the person who exercises or is entitled to occupancy of the hotel room at the time the rent or fee for occupancy is paid. Authorizes the governing authority to contract with any public entity authorized to collect sales or use taxes for the collection of the hotel occupancy tax. Requires that the proceeds of the tax be used to fund the construction and maintenance of water and sewer infrastructure, economic development, and the promotion of tourism within the city.

(Adds R.S. 47:338.212)