

ACT No. 185

Regular Session, 2014

HOUSE BILL NO. 581

BY REPRESENTATIVE HAVARD

1 AN ACT

2 To enact R.S. 47:338.212, relative to the city of Zachary; to authorize the governing
3 authority of the city, subject to voter approval, to levy and collect a hotel occupancy
4 tax; to provide for the use of the tax proceeds; and to provide for related 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 Zachary; hotel occupancy tax; authorization

11 A.(1) In addition to any other tax levied and collected, the governing
12 authority of the city of Zachary 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 five
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
20 home or sanitarium, or any hotel-like facility operated by or in connection with a
21 hospital or medical clinic providing rooms exclusively for patients and their families.

22 (3) The person who exercises or is entitled to occupancy of the hotel room
23 shall pay the hotel occupancy tax at the time the rent or fee for occupancy is paid.

24 "Person" as used in this Paragraph shall have the same definition as that contained
25 in R.S. 47:301(8).

1 B. The governing authority of the city of Zachary shall impose the hotel
 2 occupancy tax by ordinance. The governing authority may adopt such ordinance
 3 only after a proposition authorizing the levy of the tax has been approved by a
 4 majority of the electors of the city voting at an election held for that purpose in
 5 accordance with the Louisiana Election Code. The governing authority may provide
 6 in the ordinance necessary and appropriate rules and regulations for the imposition,
 7 collection, and enforcement of the hotel occupancy tax.

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

14 D. Except as provided in Subsection C of this Section, the governing
 15 authority of the city shall use the proceeds of the tax to fund infrastructure
 16 improvements for the Zachary Youth Park and to fund other recreational
 17 opportunities within the city of Zachary.

18 Section 2. This Act shall become effective on July 1, 2014; if vetoed by the governor
 19 and subsequently approved by the legislature, this Act shall become effective on July 1,
 20 2014, or on the day following such approval by the legislature, whichever is later.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____