
DIGEST

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HB 295 Original

2016 Regular Session

Hilferty

Abstract: Requires the annual payment of use tax due on property and services bought from a remote seller who did not collect the tax due at the time of sale; further, requires that the individual income tax return form contain various checkoff boxes with corresponding amounts of estimated use tax to assist a taxpayer in designating and attesting to the amount of their use tax liability.

Present law imposes a total of 4% in state use tax on the use of certain tangible personal property and services.

Proposed law requires that beginning Jan. 1, 2017, the La. individual state income tax return include a series of checkoff boxes for a taxpayer to designate and attest to their estimated amount of use tax liability which may exist based on their purchases of taxable goods and services during the tax year upon which no sales or use tax was paid at the time of purchase.

Proposed law requires there to be a range of dollar amounts associated with each checkoff box, along with a corresponding amount of use tax liability. The ranges of dollar values and estimated use tax amounts shall be established by the secretary of the Dept. of Revenue through the promulgation of administrative rules in accordance with the APA.

Proposed law provides that a taxpayer may report and pay their use tax liability by either selecting a checkoff box and corresponding amount of use tax liability or they may report their actual use tax liability.

Proposed law excludes purchases by a business from the provisions of proposed law.

Present law requires dealers to collect sales and use tax on transactions involving taxable tangible personal property and services in La.

Proposed law excludes from proposed law any sales and use taxes due on sales by La. dealers who are required to collect sales and use tax at the time of sale pursuant to present law.

Proposed law terminates and ceases to be effective upon the effective date of a federal law which requires remote sellers to collect and remit La. sales and use taxes on internet, mail order, and other remote sales into the state.

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

(Adds R.S. 47:306(F))