

**SENATE SUMMARY OF HOUSE AMENDMENTS****SB 22****2016 First Extraordinary Session****Morrell****KEYWORD AND SUMMARY AS RETURNED TO THE SENATE**

TAX EXEMPTIONS. Modifies the sales and use tax exemption for domed stadium facilities, baseball facilities, and other publicly owned facilities. (Item #36)(gov sig)

**SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL**

1. Eliminate the upper limit on population size for the exemption for a domed arena facility owned by a political subdivision.
2. Add tours of the facility to the list of exemptions from sales and use tax imposed on sales at these facilities.
3. Establish a dedication of local sales and use tax revenues, excluding sales and use tax applicable to sales at trade shows or other events at which the sale of such goods or property is the primary purpose of the show or event, as follows:
  - (a) 20% of the avails of the sales and use taxes imposed in Orleans Parish by any political subdivision which are attributable to sales in a domed stadium shall be distributed to the New Orleans Council on Aging. Monies to satisfy this dedication shall be derived proportionately from the sales and use tax distributions for the following purposes: 50% from the City of New Orleans General Fund, 30% from the Orleans Parish School Board, and 20% from the Regional Transit Authority.
  - (b) As to any parish in which there is located a facility on the property of a public post-secondary educational institution, the avails of any sales and use tax imposed by any political subdivision which are attributable to sales at that facility shall be allocated to that institution.
  - (c) Two-thirds of the avails of any sales and use tax imposed by any political subdivision which are attributable to sales at the Angola State Penitentiary Rodeo shall be allocated to the West Feliciana School Board and one-third allocated to the West Feliciana Council on Aging.

**DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE**


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The original instrument was prepared by Leonore F. Heavey. The following digest, which does not constitute a part of the legislative instrument, was prepared by McHenry Lee.

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**DIGEST**

SB 22 Reengrossed

2016 First Extraordinary Session

Morrell

Present law provides an exemption from state and local sales and use tax for sales at the following types of facilities:

- (1) A domed stadium facility owned by the state with a seating capacity of at least 70,000.

- (2) A domed arena facility owned by a political subdivision located in a parish with a population of between 185,000 and 250,000.
- (3) An open baseball facility owned by the state.
- (4) A publicly-owned facility, if the local taxing authority first authorizes the exemption.

Present law provides that the only taxable sales at these facilities are sales at trade shows at which the sale of such goods is the primary purpose of the show.

Proposed law changes present law by removing the 250,000 upper limit on parish population size for purposes of the exemption for a domed arena facility owned by a political subdivision.

Proposed law changes present law by narrowing the exemptions from sales and use taxes at these facilities to include only:

- (1) Admission tickets to athletic contests or any large scale bid-upon events sold in the primary ticket market but not secondary market sales of tickets.
- (2) Any sale, service, or other transaction, including the sale of parking, occurring in such facility in connection with athletic contests or any large scale bid-upon events.
- (3) Sales of goods from a team merchandise store at the facility.
- (4) 50% of the cost price of admission tickets to events, activities, or enterprises other than tickets to athletic contests or any large scale bid-upon events, wherever sold.
- (5) Tours of the facility.
- (6) The full price of admission tickets for non-athletic events if the event was under contract on or before April 1, 2016.

Proposed law provides that these exemptions will apply to any event, activity, or enterprise held in conjunction with an athletic contest held in or adjacent to the facility to which the exemptions apply.

Proposed law establishes an allocation of state monies to the Louisiana School of Math, Science, and the Arts and the New Orleans Center for Creative Arts, in an amount equal to 30% of state sales and use tax revenues collected under the one cent state sales and use tax, which revenues are derived from the newly taxable sales at the public facilities described above. The allocation does not include sales and use tax applicable to sales at trade shows or other events at which the sale of such goods or property is the primary purpose of the show or event. The allocation is subject to legislative appropriation.

Proposed law establishes the following allocations of local sales and use taxes imposed by political subdivisions in which certain facilities are located, and excludes sales and use tax applicable to sales at trade shows or other events at which the sale of such goods or property is the primary purpose of the show or event:

- (1) 20% of the avails of the sales and use taxes imposed in Orleans Parish by any political subdivision which are attributable to sales in a domed stadium shall be distributed to the New Orleans Council on Aging. Monies to satisfy this dedication shall be derived proportionately from the sales and use tax distributions for the following purposes: 50% from the City of New Orleans General Fund, 30% from the Orleans Parish School Board, and 20% from the Regional Transit Authority.
- (2) As to any parish in which there is located a facility on the property of a public post-secondary educational institution, the avails of any sales and use tax imposed by any political subdivision which are attributable to sales at that facility shall be allocated to that institution.

- (3) Two-thirds of the avails of any sales and use tax imposed by any political subdivision which are attributable to sales at the Angola State Penitentiary Rodeo shall be allocated to the West Feliciana School Board and one-third allocated to the West Feliciana Council on Aging.

Proposed law provides legislative intent that the following activities will not be subject to the imposition of sales, use, amusement, or other taxes levied by the state or any local taxing authority:

- (1) Sales of admission tickets and parking for intercollegiate athletic events sponsored or promoted by La.-based colleges or universities and nonprofit corporations affiliated with them.
- (2) Sales of admission tickets and parking for high school athletic events sponsored or promoted by La. high schools.
- (3) Sales of admission tickets and parking for youth sport events sponsored or promoted by La. based youth sports leagues and associations.
- (4) Sales of admission tickets and parking for events sponsored by La.-based civic, educational, historical, charitable, fraternal, or religious organizations that are nonprofit organizations.

Applicable to taxable periods beginning on or after April 1, 2016.

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

(Amends R.S. 39:467, 468, and 469(B); adds R.S. 39:470 and 470.1)

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Deputy Chief of Staff