

GREEN SHEET REDIGEST

HB 396

2017 Regular Session

Dwight

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

**TAX/SALES-USE, ST-EXEMPT: Provides for the effectiveness and applicability of the state sales and use tax exclusion for sales of gold, silver, or numismatic coins, and platinum, gold, or silver bullion.**

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DIGEST

Present law imposes state sales and use taxes on the sale, use, lease, or rental of tangible personal property pursuant to the following levies:

- R.S. 47:302 - 2% tax
- R.S. 47:321 - 1% tax
- R.S. 47:321.1 - 1% tax
- R.S. 47:331 - 0.97% tax
- R.S. 51:1286 - .03% tax (LA Tourism and Promotion District)

Present law provides for exemptions and exclusions to state sales and use taxes. Further, present law provides for the applicability and effectiveness of certain exclusions and exemptions from the taxes imposed under R.S. 47:302 and 321.1 for the time between July 1, 2016, and June 30, 2018.

Present law provides for an exclusion from state sales and use taxes imposed under R.S. 47:302, 321, and 331, for the purchase of gold, silver, or numismatic coins, or gold, silver, or platinum bullion. This exclusion in present law is not in effect for the state sales and use taxes imposed under R.S. 47:302 and 321.1.

Proposed law changes present law for the exclusion for the sale or purchase of platinum, gold, or silver bullion to include platinum, gold, or silver bullion, that is valued solely upon its precious metal content, whether in coin or ingot form.

Proposed law changes present law for effectiveness and applicability of the exclusion for the sale or purchase of platinum, gold, and silver bullion, that is valued solely upon its precious metal content, or platinum bullion by providing that the exclusion is effective and applicable against all state sales and use taxes beginning Oct. 1, 2017.

Proposed law changes present law for the exclusion for the sale or purchase of numismatic coins by limiting the exclusion to coins that either have a sales price of \$1,000 or less, or that are sold at a national, statewide, or multi-parish numismatic trade show.

Proposed law further changes present law for the exclusion for the sale or purchase of numismatic coins by making the exclusion effective and applicable against all state sales and use taxes beginning Oct. 1, 2017.

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

(Amends R.S. 47:301(16)(b)(ii) and 302(AA)(intro para); Adds R.S. 47:302(AA)(29) and 321.1(F)(67))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Ways and Means to the original bill:

1. Add a limitation on the exclusion for numismatic coins to those with a sales of \$1,000 or less, or that are sold at a trade show.
2. Change the exclusion for platinum, gold, and silver bullion to include silver ingots and coins.
3. Change the effectiveness of proposed law for applicability for the exclusion for coins from June 1, 2017, to Oct. 1, 2017.
4. Change the effectiveness of proposed law for applicability for the exclusion for bullion from June 1, 2017, to Oct. 1, 2017.

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Revenue and Fiscal Affairs to the reengrossed bill

1. Makes technical changes.
2. Provides the measurement of platinum, gold, or silver bullion shall be its precious metal content regardless of it being in coin or ingot form.