

2019 Regular Session

SENATE BILL NO. 225

BY SENATOR FANNIN

TAX EXEMPTIONS. Exempts certain purchases by student farmers from state sales and use tax. (8/1/19)

1 AN ACT

2 To enact R.S. 47:302(BB)(110), 305.24, 321(P)(111), 321.1(I)(111), and 331(V)(111),
3 relative to state sales and use tax exemptions; to provide a sales tax exemption for
4 student farmers for feed, seed, and fertilizer; to provide for effectiveness; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 47:302(BB)(110), 305.24, 321(P)(111), 321.1(I)(111), and
8 331(V)(111) are hereby enacted to read as follows:

9 §302. Imposition of tax

10 * * *

11 BB. Notwithstanding any other provision of law to the contrary, including but
12 not limited to any contrary provisions of this Chapter, beginning July 1, 2018,
13 through June 30, 2025, there shall be no exemptions and no exclusions to the tax
14 levied pursuant to the provisions of this Section, except for the retail sale, use,
15 consumption, distribution, or storage for use or consumption of the following:

16 * * *

17 **(110) Purchases of feed, seed, and fertilizer by student farmers as**

1 provided in R.S. 47:305.24.

2 * * *

3 §305.24. Student farmer exemption

4 A. Sales and use taxes levied by the state shall not apply to purchases by
5 student farmers of:

6 (1) Feed and feed additives for the purpose of sustaining livestock.

7 (2) Seeds or plants to be used to produce food ordinarily used for
8 consumption by humans or livestock.

9 (3) Fertilizer to be used to produce food used for consumption by
10 humans or livestock.

11 B. "Student farmer" means an individual who is under the age of
12 twenty-three and who is enrolled in any of the following:

13 (1) A Future Farmers of America chapter or a program established by
14 the National Future Farmers of America organization.

15 (2) A 4-H Club or other program established by 4-H.

16 (3) Any student agriculture program similar in nature to a club or
17 program described in Paragraph (1) or (2) of this Subsection that is under the
18 direction or guidance of an agricultural educator, advisor, or club leader.

19 C. The Department of Revenue, in consultation with the Louisiana State
20 University and Agricultural and Mechanical College Agriculture Center, may
21 develop and promulgate rules as necessary to administer this exemption.

22 * * *

23 §321. Imposition of tax

24 * * *

25 P. Notwithstanding any other provision of law to the contrary, including but
26 not limited to any contrary provisions of this Chapter, beginning July 1, 2018,
27 through June 30, 2025, there shall be no exemptions and no exclusions to the tax
28 levied pursuant to the provisions of this Section, except for the retail sale, use,
29 consumption, distribution, or storage for use or consumption of the following:

* * *

(111) Purchases of feed, seed, and fertilizer by student farmers as provided in R.S. 47:305.24.

* * *

§321.1 Imposition of tax

* * *

I. Notwithstanding any other provision of law to the contrary, including but not limited to any contrary provisions of this Chapter, beginning July 1, 2018, through June 30, 2025, there shall be no exemptions and no exclusions to the tax levied pursuant to the provisions of this Section, except for the retail sale, use, consumption, distribution, or storage for use or consumption of the following:

* * *

(111) Purchases of feed, seed, and fertilizer by student farmers as provided in R.S. 47:305.24.

* * *

§331. Imposition of tax

* * *

V. Notwithstanding any other provision of law to the contrary, including but not limited to any contrary provisions of this Chapter, beginning July 1, 2018, through June 30, 2025, there shall be no exemptions and no exclusions to the tax levied pursuant to the provisions of this Section, except for the retail sale, use, consumption, distribution, or storage for use or consumption of the following:

* * *

(111) Purchases of feed, seed, and fertilizer by student farmers as provided in R.S. 47:305.24.

* * *

Section 2. The provisions of this Act shall apply to taxable periods beginning on or after January 1, 2020.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Leonore Heavey.

	DIGEST	
SB 225 Original	2019 Regular Session	Fannin

Present law provides for exemptions from sales and use tax for purchases of feed, seed, fertilizer, and fuel by commercial farmers.

Proposed law provides for exemptions from sales and use tax for purchases of feed, seed, and fertilizer by student farmers.

Proposed law defines student farmer as a person who is under the age of 23 and who is enrolled in FFA, 4-H, or a similar student agricultural program.

Proposed law requires the secretary of revenue to promulgate rules in conjunction with the LSU Ag. Center to determine who meets the definitions of small farmer and student farmer.

Present law provides the exclusive list of state sales and use tax exemptions applicable until July 1, 2025.

Proposed law adds the exemption for purchases of feed, seed, and fertilizer by student farmers to the list of applicable state sales and use tax exemptions.

Effective August 1, 2019.

(Adds R.S. 47:302(BB)(110), 305.24, 321(P)(111), 321.1(I)(111), and 331(V)(111))