

## SENATE SUMMARY OF HOUSE AMENDMENTS

**SB 405 By Senator Marionneaux****KEYWORD AND SUMMARY AS RETURNED TO THE SENATE**

REVENUE DEPARTMENT. Authorizes the Secretary of the Department of Revenue to require electronic filing of certain returns when electronic filing of a similar return or report is required by the Internal Revenue Service, and provides relative to the obtaining of certain Direct Payment (DP) numbers. (gov sig)

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

1. Added provisions relative to reciprocal offset of indebtedness agreements.
2. Added provisions relative to obtaining of Direct Payment (DP) numbers.

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

Present law authorizes the Secretary of Revenue to require the electronic filing of certain tax returns and reports.

Proposed law retains present law and additionally authorizes the Secretary of Revenue to require the electronic filing of any return or report when the Internal Revenue Service requires electronic filing of the same or substantially similar return.

Proposed law further authorizes the secretary to enter into reciprocal offset of indebtedness agreements with the federal government, pursuant to which the state shall agree to offset from state tax refunds and payments otherwise due to vendors and contractors providing goods or services to state agencies, non-tax debt owed to the federal government, and the federal government shall agree to offset from federal payments to vendors, contractors, and taxpayers debt owed to the state.

Present law provides relative to Direct Payment (DP) numbers obtainable by certain taxpayers, including certain manufacturers of tangible personal property for resale where such manufacturing occurs at a manufacturing establishment or facility within the state, a private, nonprofit, tax-exempt organization as defined under Section 501(3)(c) of the Internal Revenue Code, and a taxpayer who has entered into a tax exemption contract with the Department of Economic Development. Provides that, subject to certain exceptions, the state and local sales and use tax due on the purchase, importation, or lease of tangible personal property or taxable services by taxpayers who have obtained a DP number shall be remitted directly to the state and appropriate political subdivision by such taxpayer, as provided in the present law. The vendor or lessor of tangible personal property or taxable services shall not be responsible for collecting sales and use tax on such sales or leases, and shall not be liable for such tax as provided in R.S. 47:304(C), upon presentation to him of a valid DP number by such purchaser or lessee, provided that the vendor or lessor notes the DP number on the untaxed contract or invoice submitted to such purchaser and lessee.

Proposed law retains present law and adds that a DP number shall be issued to a taxpayer who has entered into a cooperative endeavor agreement with the state as provided by R.S. 33:9029.2 and who obtains the required approvals and meets all of the qualifications provided for in the present law, subject to certain exceptions. The DP number shall be continued to be held by the taxpayer for the term of the cooperative endeavor agreement or until the taxpayer otherwise qualifies for a DP number.

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

(Adds R.S. 47:303.1(B)(4), 1520(A)(1)(f), and 1523)

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