

Regular Session, 2013

HOUSE BILL NO. 77

BY REPRESENTATIVES HOWARD, ARMES, BROWN, BURFORD, AND HENRY BURNS

TAX/ALCOHOLIC BEVERAGE: Dedicates a portion of the state excise tax levied on beverages of low alcoholic content to the La. Wounded Warrior Fund

1 AN ACT

2 To amend and reenact R.S. 26:342 and to enact Subpart S of Chapter 1 of Part II-A of
3 Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of
4 R.S. 39:100.137, relative to state taxes on beverages of low alcoholic content; to
5 dedicate a portion of the state taxes on beverages of low alcoholic content; to
6 establish the Louisiana Wounded Warriors Fund in the state treasury; to provide for
7 the deposit, use, and investment of the monies in the fund; to provide for an
8 effective date; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 26:342 is hereby amended and reenacted to read as follows:

11 §342. Tax on beverages of low alcoholic content

12 There is levied and imposed on all beverages of low alcoholic content
13 handled in Louisiana an excise tax of ten dollars per barrel containing not more than
14 thirty-one gallons, and at a like rate for fractional parts of a barrel. Ten percent of
15 the avails of the tax levied pursuant to the provisions of this Section shall be
16 deposited into the Louisiana Wounded Warrior Fund as provided for in R.S.
17 39:100.137.

1 Section 2. Subpart S of Chapter 1 of Part II-A of Subtitle I of Title 39 of the
2 Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.137, is hereby enacted to read
3 as follows:

4 SUBPART S. LOUISIANA WOUNDED WARRIOR FUND

5 §100.137. Louisiana Wounded Warrior Fund

6 A. There is hereby established in the state treasury, as a special fund, the
7 Louisiana Wounded Warrior Fund, hereinafter referred to as the "fund".

8 B. After satisfying the requirements of Article VII, Section 9(B) of the
9 Constitution of Louisiana relative to the Bond Security and Redemption Fund, the
10 state treasurer shall annually deposit into the fund an amount equal to ten percent of
11 the avails of the state excise tax levied pursuant to the provisions of R.S. 26:342. All
12 unexpended and unencumbered monies in the fund at the end of the fiscal year shall
13 remain in the fund. The monies in the fund shall be invested by the state treasurer
14 in the same manner as monies in the state general fund, and interest earned on the
15 investment of monies shall be credited to the state general fund.

16 C. The monies in the fund shall be appropriated and used solely for expenses
17 and costs associated with the hospitalization or rehabilitation of Louisiana citizens
18 wounded while serving in the military.

19 Section 3. This Act shall become effective on July 1, 2013; if vetoed by the governor
20 and subsequently approved by the legislature, this Act shall become effective on July 1,
21 2013, or on the day following such approval by the legislature, whichever is later.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Howard

HB No. 77

Abstract: Dedicates 10% of the state excise tax levied on beverages of low alcoholic content to the La. Wounded Warrior Fund.

Present law provides for the levy and imposition of an excise tax on all beverages of low alcoholic content of \$10 per barrel containing not more than 31 gallons, and at a like rate for fractional parts of a barrel.

Proposed law retains present law but requires that 10% of the avails of the tax levied pursuant to present law be deposited into the La. Wounded Warrior Fund.

Proposed law establishes the La. Wounded Warrior Fund as a special fund in the state treasury. Further requires, after satisfying the requirements of the Bond Security and Redemption Fund, the state treasurer to annually deposit into the fund 10% of the avails of the state excise tax levied pursuant to present law on beverages of low alcoholic content.

Proposed law requires monies appropriated from the fund to be used solely for expenses and costs associated with the hospitalization or rehabilitation of La. citizens wounded while serving in the military.

Effective July 1, 2013.

(Amends R.S. 26:342; Adds R.S. 39:100.137)