

ACT No. 848

Regular Session, 2014

HOUSE BILL NO. 1249

BY REPRESENTATIVES MONTOUCET, FANNIN, AND REYNOLDS

1 AN ACT

2 To amend and reenact R.S. 45:1177(A)(1), (2)(k), (4), and (5) and to enact R.S.
3 45:1177(A)(6), relative to inspection and supervision fees paid by certain motor
4 carriers and public utilities doing business in this state; to change the ranges for such
5 fees; to exempt nonprofit water utility cooperatives or corporations wholly owned
6 by water user members from paying such fees; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 45:1177(A)(1), (2)(k), (4), and (5) are hereby amended and reenacted
9 and R.S. 45:1177(A)(6) is hereby enacted to read as follows:

10 §1177. Inspection and supervision fees; Utility and Carrier Inspection and
11 Supervision Fund

12 A.(1) Each motor carrier as defined in ~~R.S. 45:162(10)~~ R.S. 45:162(12) and
13 public utility doing business in Louisiana and subject to control and jurisdiction of
14 the commission shall pay to the state a fee for the inspection, control, and
15 supervision of the business service and rates of such common carrier and public
16 utility, in addition to any and all property, franchise, license, and other taxes, and
17 fees and charges now or hereafter fixed, assessed, or charged by law against such
18 common carrier and public utility. The amount of the fees shall be measured by the
19 gross receipts of each public utility from its Louisiana intrastate business. The
20 amount of the fees for each motor carrier as defined in ~~R.S. 45:162(10)~~ R.S.
21 45:162(12) shall be measured by the gross receipts of such carrier derived from those
22 activities that are subject to the control and jurisdiction of the commission.

1 (2) The fees for the first quarter gross receipts of each calendar year shall be
 2 paid on or before June thirtieth; the fees for the second quarter gross receipts shall
 3 be paid on or before September thirtieth; the fees for the third quarter gross receipts
 4 shall be paid on or before December thirty-first; and the fees for the fourth quarter
 5 gross receipts shall be paid on or before March thirty-first of the following calendar
 6 year. The application of this schedule shall be based on and calculated according to
 7 the cumulative gross receipts beginning with the first quarter of each calendar year.
 8 In no event shall any utility or carrier pay less than twenty dollars each quarter. The
 9 fee to be paid by each common carrier, contract carrier, and public utility shall be
 10 paid quarterly as follows:

11 * * *

12 (k) ~~\$.59~~ \$.63 and one-half cents per \$1000 of such gross receipts in excess
 13 of \$100,000,000.

14 * * *

15 (4) The fees owed pursuant to this Subsection shall not be applicable to any
 16 nonprofit water utility cooperative or corporation wholly owned by water user
 17 members.

18 ~~(4)~~(5) Notwithstanding any provision in this Section to the contrary, the fees
 19 to be paid under the provisions of this Section on the gross receipts of a common
 20 carrier operating sightseeing passenger vehicles within the limits, and not more than
 21 ten miles therefrom, of one incorporated municipality under a municipal certificate
 22 of public convenience and necessity shall be measured only by that part of the gross
 23 receipts derived from the Louisiana intrastate business conducted outside, but not
 24 including ten miles therefrom, such municipality.

25 ~~(5)~~(6) Notwithstanding any contrary provision in this Section, for an electric
 26 cooperative organized pursuant to R.S. 12:401 et seq., the gross receipts under this
 27 Section shall not include the purchased power cost paid for the purchase of
 28 wholesale power for resale, on which fees have been paid or will be paid under the
 29 provisions of this Section.

30 * * *

1 Section 2. This Act shall become effective on January 1, 2015.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____