

2018 First Extraordinary Session

HOUSE BILL NO. 23

BY REPRESENTATIVE DWIGHT

TAX/SALES-USE, STATE: Provides with respect to the rate and base of the state sales and use tax (Item #7)

1 AN ACT

2 To amend and reenact R.S. 47:321.1(A) through (C) and (E) and to enact R.S. 47:302(BB)
3 and (CC), 321(P) and (Q), 321.1(I) and (J), and 331(V) and (W) and to repeal R.S.
4 47:302(Y), 321(M), 331(T) and Act No. 395 of the 2017 Regular Session of the
5 Louisiana Legislature, relative to state sales and use tax; to provide for the tax rate;
6 to provide for the applicability of certain exclusions and exemptions applicable to
7 the tax; to provide for effectiveness; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 47:321.1(A) through (C) and (E) are hereby amended and reenacted
10 and R.S. 47:302(BB) and (CC), 321(P) and (Q), 321.1(I) and (J), and 331(V) and (W) are
11 hereby enacted to read as follows:

12 §302. Imposition of tax

13 * * *

14 BB. Notwithstanding any other provision of law to the contrary, including
15 but not limited to any contrary provisions of this Chapter, beginning July 1, 2018,
16 through and including June 30, 2021, there shall be no exemptions, and no
17 exclusions as defined in R.S. 47:301, to the tax levied pursuant to the provisions of
18 this Section, except for the retail sale, use, consumption, distribution, or storage for
19 use or consumption of the following items:

- 1 (1) Food for home consumption as defined in R.S. 47:305(D)(1)(n) through
2 (r) on January 1, 2003, as provided in Article VII, Section 2.2 of the Constitution of
3 Louisiana.
- 4 (2) Natural gas as provided in Article VII, Section 2.2 of the Constitution of
5 Louisiana.
- 6 (3) Electricity as provided in Article VII, Section 2.2 of the Constitution of
7 Louisiana.
- 8 (4) Water as provided in Article VII, Section 2.2 of the Constitution of
9 Louisiana.
- 10 (5) Prescription drugs as provided in Article VII, Section 2.2 of the
11 Constitution of Louisiana.
- 12 (6) Gasoline and other motor fuels subject to the state excise tax on fuel as
13 provided in Article VII, Section 27 of the Constitution of Louisiana.
- 14 (7) Sales to the United States government and its agencies as provided in
15 R.S. 47:301(10)(g).
- 16 (8) Other constructions permanently attached to the ground as provided in
17 R.S. 47:301(16)(l).
- 18 (9) Installation charges on tangible personal property as provided in R.S.
19 47:301(3)(a).
- 20 (10) Installation of oil field board roads as provided in R.S. 47:301(3)(c).
- 21 (11) Transactions involving the construction or overhaul of United States
22 Navy vessels as provided in R.S. 47:301(7)(c) and (14)(h).
- 23 (12) Property purchased for exclusive use outside the state as provided in
24 R.S. 47:305.10.
- 25 (13) Sales, leases, or rentals of tangible personal property paid by or under
26 the provisions of Medicare as provided in R.S. 47:315.3.
- 27 (14) Sales of human tissue transplants as provided in R.S. 47:301(10)(d).
- 28 (15) Sales of raw agricultural commodities as provided in R.S.
29 47:301(10)(e).

1 (16) Sales of food by a youth serving organization chartered by the Congress
2 of the United States as provided in R.S. 47:301(10)(h).

3 (17) Tangible personal property sold or donated to a food bank as provided
4 in R.S. 47:301(10)(j) and (18)(a)(i).

5 (18) Materials used in the collection of blood as provided in R.S.
6 47:301(16)(j).

7 (19) Aphaeresis kits and leuko reduction filters as provided in R.S.
8 47:301(16)(k).

9 (20) Donations to schools and food banks from resale inventory as provided
10 in R.S. 47:301(18)(a).

11 (21) Manufacturers rebates on a new motor vehicle as provided in R.S.
12 47:301(3)(e) and (13)(b).

13 (22) Leases or rentals of railroad rolling stock as provided in R.S.
14 47:301(4)(k).

15 (23) Sales, purchases and leases of tangible personal property by free
16 hospitals as provided in R.S. 47:301(7)(e), (10)(p), and (18)(c).

17 (24) Purchases by a nonprofit entity that sells donated goods as provided in
18 R.S. 47:301(8)(f).

19 (25) Tangible personal property for resale as provided in R.S.
20 47:301(10)(a)(i).

21 (26) Purchases of property for lease or rental as provided in R.S.
22 47:301(10)(a)(iii) and (18)(a)(iii).

23 (27) Isolated or occasional sales of tangible personal property by a person
24 not engaged in such business as provided in R.S. 47:301(1) and (10)(c)(ii)(bb).

25 (28) Use of a motor vehicle in Louisiana by a member of the active duty
26 military as provided in R.S. 47:303(A)(3)(a) and 305.48.

27 (29) Purchases made with food stamps and WIC as provided in R.S.
28 47:305.46.

- 1 (30) An article traded in on the purchase of tangible personal property as
2 provided in R.S. 47:301(13)(a).
- 3 (31) Donation of toys as provided in R.S. 47:301(10)(aa)(i) and (18)(m).
- 4 (32) Stocks, bonds, notes, and other obligations or securities as provided in
5 R.S. 47:301(16)(b)(i).
- 6 (33) Credit for sales and use taxes paid to another state on tangible personal
7 property imported in Louisiana as provided in R.S. 47:303(A)(3)(a).
- 8 (34) Work product of certain professionals as provided in R.S.
9 47:301(16)(e).
- 10 (35) Purchases by a regionally accredited independent educational institution
11 as provided in R.S. 47:301(8)(b).
- 12 (36) Sales through a coin-operated vending machine as provided in
13 R.S.47:301(10)(b)(i).
- 14 (37) Purchases by a private postsecondary academic degree-granting
15 institution as provided in R.S. 47:301(10)(cc) and (18)(n).
- 16 (38) Purchases of food items for school lunch and breakfast programs by a
17 nonpublic elementary or secondary school as provided in R.S. 47:301(10)(dd).
- 18 (39) Funeral directing services as provided in R.S. 47:301(14)(j).
- 19 (40) Feed and feed additives for animals held for business purposes as
20 provided in R.S. 47:305(A)(4).
- 21 (41) Farm products produced and used by farmers as provided in R.S.
22 47:305(B).
- 23 (42) Sale of fertilizer and containers to farmers as provided in R.S.
24 47:305(D)(1)(f).
- 25 (43) Sales of seeds for planting crops as provided in R.S. 47:305.3.
- 26 (44) Sales of pesticides for agricultural purposes as provided in R.S.
27 47:305.8.
- 28 (45) The cost price for the printing of a news publication as provided in R.S.
29 47:301(3)(h).

1 (46) Vehicle rentals to a warranty customer as provided in R.S. 47:301(7)(h).

2 (47) Leases or rentals of a crane and related equipment with an operator as
3 provided in R.S. 47:301(7)(k).

4 (48) Sales by and to the state and its political subdivisions as provided in
5 R.S. 47:301(8)(c).

6 (49) Sales of materials for further processing as provided in R.S.
7 47:301(10)(c)(i)(aa).

8 (50) The sales price for new farm equipment used in poultry production as
9 provided in R.S. 47:301(13)(c).

10 (51) A factory built home as provided in R.S. 47:301(16)(g).

11 (52) Any advertising service rendered by an advertising business as provided
12 in R.S. 47:302(D).

13 (53) Sales of livestock, poultry, and other farm products direct from a farm
14 as provided in R.S. 47:305(A)(1).

15 (54) Sales of livestock at a public sale sponsored by a breeders' or registry
16 association or at a livestock auction market as provided in R.S. 47:305(A)(2).

17 (55) Sales of agricultural commodities by a person other than the producer,
18 for use in further processing as provided in R.S. 47:305(A)(3).

19 (56) Transactions in interstate commerce and tangible personal property
20 imported into this state, or produced or manufactured in this state, for export as
21 provided in R.S. 47:305(E).

22 (57) Ships, vessels, barges, and related supplies as provided in R.S. 47:305.1.

23 (58) The sales price of new farm equipment, including polyroll tubing, as
24 provided in R.S. 47:305.25.

25 (59) A truck and trailer if used at least eighty percent of the time in interstate
26 commerce as provided in R.S. 47:305.50(A).

27 (60) Freight cars, piggyback trailers, and rail rolling stock, and railroad ties
28 as provided in 47:305.45 and 305.50(F).

29 (61) Councils on Aging as provided in R.S. 47:305.66.

1 (62) Sales of pharmaceuticals administered to livestock for agricultural
2 purposes as provided in R.S. 47:301(16)(f).

3 (63) Materials used in the production of crawfish and catfish as provided in
4 R.S. 47:305(A)(5) and (6).

5 (64) Sales of room rentals by a camp or retreat facility owned by a nonprofit
6 organization as provided in R.S. 47:301(6)(b).

7 (65) Sales of room rentals by a homeless shelter as provided in R.S.
8 47:301(6)(c).

9 (66) Sales, leases, and rentals of tangible personal property to Boys State of
10 Louisiana, Inc. and Girls State of Louisiana, Inc. as provided in R.S. 47:301(7)(g)
11 and (10)(r).

12 (67) Sales or purchases of fire-fighting equipment by a volunteer fire
13 department as provided in R.S. 47:301(10)(o).

14 (68) Sales to, and leases, rentals, and use of educational materials and
15 equipment used for classroom instruction by a parochial and private elementary and
16 secondary school that complies with the court order from the Dodd Brumfield
17 decision and Section 501(c)(3) of the Internal Revenue code as provided in R.S.
18 47:301(7)(f), (10)(q)(ii), and (18)(e)(ii).

19 (69) Sales by a parochial and private elementary and secondary school that
20 complies with the court order from the Dodd Brumfield decision and Section
21 501(c)(3) of the Internal Revenue code as provided in R.S. 47:301(10)(q)(i) and
22 (18)(e)(i).

23 (70) Sales, as provided in R.S. 47:301(14)(b)(i), but only of admissions to
24 an athletic and entertainment event held for or by an elementary or secondary school
25 and membership fees or dues of a nonprofit, civic association.

26 (71) Sales or use of orthotic devices, prosthetic devices, hearing aids,
27 eyeglasses, contact lenses, and wheelchairs prescribed by a physician, optometrist,
28 or licensed chiropractor used exclusively by the patient for personal use as provided
29 in R.S. 47:305(D)(1)(k).

1 (72) Sales or use of ostomy, colostomy, and ileostomy devices and
2 equipment as provided in R.S. 47:305(D)(1)(l).

3 (73) Sales of medical devices as provided in R.S. 47:305(D)(1)(s).

4 (74) Sales of orthotic and prosthetic devices and restorative materials utilized
5 and prescribed by dentists as provided in R.S. 47:305(D)(1)(t).

6 (75) Sales or use of adaptive driving equipment and motor vehicle
7 modification prescribed for personal use as provided in R.S. 47:305(D)(1)(u).

8 (76) Sales or use of a meal by an educational institution, medical facility,
9 mental institution, and an occasional meal furnished by an educational, religious, or
10 medical organization as provided in R.S. 47:305(D)(2).

11 (77) Purchases or rentals of kidney dialysis machines, parts, materials, and
12 supplies for home use under a physician's prescription as provided in R.S. 47:305(G).

13 (78) Sales of admission to entertainment events by a Little Theater
14 organization as provided in R.S. 47:305.6.

15 (79) Sales of admission to musical performances sponsored by a nonprofit
16 organization as provided in R.S. 47:305.7.

17 (80) Sales of admissions to entertainment events sponsored by domestic
18 nonprofit charitable, religious, and educational organizations as provided in R.S.
19 47:305.13.

20 (81) Sales of admissions, parking fees, and sales of tangible personal
21 property at events sponsored by domestic, civic, educational, historical, charitable,
22 fraternal, or religious nonprofit organizations as provided in R.S. 47:305.14(A)(1).

23 (82) Sales of admissions and parking fees at fairs and festivals sponsored by
24 nonprofit organizations as provided in R.S. 47:305.18.

25 (83) Purchases of fishing vessels, supplies, fuels, lubricants, and repairs for
26 the vessels of licensed commercial fishermen as provided in R.S. 47:305.20.

27 (84) Sales of butane, propane, or other liquified petroleum gases for private,
28 residential consumption as provided in R.S. 47:305.39.

1 (85) Sales and purchases by certain organizations that provide training for
2 blind persons as provided in R.S. 47:305.15.

3 (86) Purchases and leases by qualified radiation therapy treatment centers as
4 provided in R.S. 47:305.64.

5 (87) Sales of electricity for chlor-alkali manufacturing as provided in R.S.
6 47:301(10)(c)(ii)(aa).

7 (88) Rentals or leases of certain oilfield property for re-lease or re-rental as
8 provided in R.S. 47:301(7)(b).

9 (89) Sales of aircraft manufactured in Louisiana with a capacity in excess of
10 eight persons as provided in R.S. 47:301(10)(m).

11 (90) Labor, materials, services, and supplies used for the repair, renovation,
12 or conversion of drilling rig machinery and equipment which become component
13 parts of a drilling rig used exclusively for exploration or development of minerals as
14 provided in R.S. 47:301(14)(g)(iii).

15 (91) Repairs and materials used on drilling rigs and equipment used
16 exclusively for exploration of development of minerals as provided in R.S. 47:305(I).

17 (92) Sales by thrift shops located on military installations as provided in R.S.
18 47:305.14(A)(4).

19 (93) Leases or rentals of vessels for use in offshore mineral production or the
20 provision of services to those engaged in mineral production as provided in R.S.
21 47:305.19.

22 (94) Sales of gasohol as provided in R.S. 47:305.28.

23 (95) Sales or purchases by sheltered workshops as provided in R.S.
24 47:305.38.

25 (96) Pharmaceutical samples manufactured or imported into the state free of
26 charge as provided in R.S. 47:305.47.

27 (97) The exclusion for surface preparation, painting, and coating fixed or
28 rotary wing aircraft and certified transport category aircraft registered outside of this
29 state, as provided in R.S. 47:301(14)(g)(iv).

- 1 (5) Prescription drugs as provided in Article VII, Section 2.2 of the
2 Constitution of Louisiana.
- 3 (6) Gasoline and other motor fuels subject to the state excise tax on fuel as
4 provided in Article VII, Section 27 of the Constitution of Louisiana.
- 5 (7) Sales to the United States government and its agencies as provided in
6 R.S. 47:301(10)(g).
- 7 (8) Other constructions permanently attached to the ground as provided in
8 R.S. 47:301(16)(l).
- 9 (9) Installation charges on tangible personal property as provided in R.S.
10 47:301(3)(a).
- 11 (10) Installation of oil field board roads as provided in R.S. 47:301(3)(c).
- 12 (11) Transactions involving the construction or overhaul of United States
13 Navy vessels as provided in R.S. 47:301(7)(c) and (14)(h).
- 14 (12) Property purchased for exclusive use outside the state as provided in
15 R.S. 47:305.10.
- 16 (13) Sales, leases, or rentals of tangible personal property paid by or under
17 the provisions of Medicare as provided in R.S. 47:315.3.
- 18 (14) Sales of human tissue transplants as provided in R.S. 47:301(10)(d).
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20 47:301(10)(e).
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22 of the United States as provided in R.S. 47:301(10)(h).
- 23 (17) Tangible personal property sold or donated to a food bank as provided
24 in R.S. 47:301(10)(j) and (18)(a)(i).
- 25 (18) Materials used in the collection of blood as provided in R.S.
26 47:301(16)(j).
- 27 (19) Aphaeresis kits and leuko reduction filters as provided in R.S.
28 47:301(16)(k).

- 1 (20) Donations to schools and food banks from resale inventory as provided
2 in R.S. 47:301(18)(a).
- 3 (21) Manufacturers rebates on a new motor vehicle as provided in R.S.
4 47:301(3)(e) and (13)(b).
- 5 (22) Leases or rentals of railroad rolling stock as provided in R.S.
6 47:301(4)(k).
- 7 (23) Sales, purchases and leases of tangible personal property by free
8 hospitals as provided in R.S. 47:301(7)(e), (10)(p), and (18)(c).
- 9 (24) Purchases by a nonprofit entity that sells donated goods as provided in
10 R.S. 47:301(8)(f).
- 11 (25) Tangible personal property for resale as provided in R.S.
12 47:301(10)(a)(i).
- 13 (26) Purchases of property for lease or rental as provided in R.S.
14 47:301(10)(a)(iii) and (18)(a)(iii).
- 15 (27) Isolated or occasional sales of tangible personal property by a person
16 not engaged in such business as provided in R.S. 47:301(1) and (10)(c)(ii)(bb).
- 17 (28) Use of a motor vehicle in Louisiana by a member of the active duty
18 military as provided in R.S. 47:303(A)(3)(a) and 305.48.
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20 47:305.46.
- 21 (30) An article traded in on the purchase of tangible personal property as
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- 23 (31) Donation of toys as provided in R.S. 47:301(10)(aa)(i) and (18)(m).
- 24 (32) Stocks, bonds, notes, and other obligations or securities as provided in
25 R.S. 47:301(16)(b)(i).
- 26 (33) Credit for sales and use taxes paid to another state on tangible personal
27 property imported in Louisiana as provided in R.S. 47:303(A)(3)(a).
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29 47:301(16)(e).

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2 as provided in R.S. 47:301(8)(b).
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4 R.S.47:301(10)(b)(i).
- 5 (37) Purchases by a private postsecondary academic degree-granting
6 institution as provided in R.S. 47:301(10)(cc) and (18)(n).
- 7 (38) Purchases of food items for school lunch and breakfast programs by a
8 nonpublic elementary or secondary school as provided in R.S. 47:301(10)(dd).
- 9 (39) Funeral directing services as provided in R.S. 47:301(14)(j).
- 10 (40) Feed and feed additives for animals held for business purposes as
11 provided in R.S. 47:305(A)(4).
- 12 (41) Farm products produced and used by farmers as provided in R.S.
13 47:305(B).
- 14 (42) Sale of fertilizer and containers to farmers as provided in R.S.
15 47:305(D)(1)(f).
- 16 (43) Sales of seeds for planting crops as provided in R.S. 47:305.3.
- 17 (44) Sales of pesticides for agricultural purposes as provided in R.S.
18 47:305.8.
- 19 (45) The cost price for the printing of a news publication as provided in R.S.
20 47:301(3)(h).
- 21 (46) Vehicle rentals to a warranty customer as provided in R.S. 47:301(7)(h).
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23 provided in R.S. 47:301(7)(k).
- 24 (48) Sales by and to the state and its political subdivisions as provided in
25 R.S. 47:301(8)(c).
- 26 (49) Sales of materials for further processing as provided in R.S.
27 47:301(10)(c)(i)(aa).
- 28 (50) The sales price for new farm equipment used in poultry production as
29 provided in R.S. 47:301(13)(c).

- 1 (51) A factory built home as provided in R.S. 47:301(16)(g).
- 2 (52) Any advertising service rendered by an advertising business as provided
3 in R.S. 47:302(D).
- 4 (53) Sales of livestock, poultry, and other farm products direct from a farm
5 as provided in R.S. 47:305(A)(1).
- 6 (54) Sales of livestock at a public sale sponsored by a breeders' or registry
7 association or at a livestock auction market as provided in R.S. 47:305(A)(2).
- 8 (55) Sales of agricultural commodities by a person other than the producer,
9 for use in further processing as provided in R.S. 47:305(A)(3).
- 10 (56) Transactions in interstate commerce and tangible personal property
11 imported into this state, or produced or manufactured in this state, for export as
12 provided in R.S. 47:305(E).
- 13 (57) Ships, vessels, barges, and related supplies as provided in R.S. 47:305.1.
- 14 (58) The sales price of new farm equipment, including polyroll tubing, as
15 provided in R.S. 47:305.25.
- 16 (59) A truck and trailer if used at least eighty percent of the time in interstate
17 commerce as provided in R.S. 47:305.50(A).
- 18 (60) Freight cars, piggyback trailers, and rail rolling stock, and railroad ties
19 as provided in 47:305.45 and 305.50(F).
- 20 (61) Councils on Aging as provided in R.S. 47:305.66.
- 21 (62) Sales of pharmaceuticals administered to livestock for agricultural
22 purposes as provided in R.S. 47:301(16)(f).
- 23 (63) Materials used in the production of crawfish and catfish as provided in
24 R.S. 47:305(A)(5) and (6).
- 25 (64) Sales of room rentals by a camp or retreat facility owned by a nonprofit
26 organization as provided in R.S. 47:301(6)(b).
- 27 (65) Sales of room rentals by a homeless shelter as provided in R.S.
28 47:301(6)(c).

1 (66) Sales, leases, and rentals of tangible personal property to Boys State of
2 Louisiana, Inc. and Girls State of Louisiana, Inc. as provided in R.S. 47:301(7)(g)
3 and (10)(r).

4 (67) Sales or purchases of fire-fighting equipment by a volunteer fire
5 department as provided in R.S. 47:301(10)(o).

6 (68) Sales to, and leases, rentals, and use of educational materials and
7 equipment used for classroom instruction by a parochial and private elementary and
8 secondary school that complies with the court order from the Dodd Brumfield
9 decision and Section 501(c)(3) of the Internal Revenue code as provided in R.S.
10 47:301(7)(f), (10)(q)(ii), and (18)(e)(ii).

11 (69) Sales by a parochial and private elementary and secondary school that
12 complies with the court order from the Dodd Brumfield decision and Section
13 501(c)(3) of the Internal Revenue code as provided in R.S. 47:301(10)(q)(i) and
14 (18)(e)(i).

15 (70) Sales, as provided in R.S. 47:301(14)(b)(i), but only of admissions to
16 an athletic and entertainment event held for or by an elementary or secondary school
17 and membership fees or dues of a nonprofit, civic association.

18 (71) Sales or use of orthotic devices, prosthetic devices, hearing aids,
19 eyeglasses, contact lenses, and wheelchairs prescribed by a physician, optometrist,
20 or licensed chiropractor used exclusively by the patient for personal use as provided
21 in R.S. 47:305(D)(1)(k).

22 (72) Sales or use of ostomy, colostomy, and ileostomy devices and
23 equipment as provided in R.S. 47:305(D)(1)(l).

24 (73) Sales of medical devices as provided in R.S. 47:305(D)(1)(s).

25 (74) Sales of orthotic and prosthetic devices and restorative materials utilized
26 and prescribed by dentists as provided in R.S. 47:305(D)(1)(t).

27 (75) Sales or use of adaptive driving equipment and motor vehicle
28 modification prescribed for personal use as provided in R.S. 47:305(D)(1)(u).

1 (76) Sales or use of a meal by an educational institution, medical facility,
2 mental institution, and an occasional meal furnished by an educational, religious, or
3 medical organization as provided in R.S. 47:305(D)(2).

4 (77) Purchases or rentals of kidney dialysis machines, parts, materials, and
5 supplies for home use under a physician's prescription as provided in R.S. 47:305(G).

6 (78) Sales of admission to entertainment events by a Little Theater
7 organization as provided in R.S. 47:305.6.

8 (79) Sales of admission to musical performances sponsored by a nonprofit
9 organization as provided in R.S. 47:305.7.

10 (80) Sales of admissions to entertainment events sponsored by domestic
11 nonprofit charitable, religious, and educational organizations as provided in R.S.
12 47:305.13.

13 (81) Sales of admissions, parking fees, and sales of tangible personal
14 property at events sponsored by domestic, civic, educational, historical, charitable,
15 fraternal, or religious nonprofit organizations as provided in R.S. 47:305.14(A)(1).

16 (82) Sales of admissions and parking fees at fairs and festivals sponsored by
17 nonprofit organizations as provided in R.S. 47:305.18.

18 (83) Purchases of fishing vessels, supplies, fuels, lubricants, and repairs for
19 the vessels of licensed commercial fishermen as provided in R.S. 47:305.20.

20 (84) Sales of butane, propane, or other liquified petroleum gases for private,
21 residential consumption as provided in R.S. 47:305.39.

22 (85) Sales and purchases by certain organizations that provide training for
23 blind persons as provided in R.S. 47:305.15.

24 (86) Purchases and leases by qualified radiation therapy treatment centers as
25 provided in R.S. 47:305.64.

26 (87) Sales of electricity for chlor-alkali manufacturing as provided in R.S.
27 47:301(10)(c)(ii)(aa).

1 (88) Rentals or leases of certain oilfield property for re-lease or re-rental as
2 provided in R.S. 47:301(7)(b).

3 (89) Sales of aircraft manufactured in Louisiana with a capacity in excess of
4 eight persons as provided in R.S. 47:301(10)(m).

5 (90) Labor, materials, services, and supplies used for the repair, renovation,
6 or conversion of drilling rig machinery and equipment which become component
7 parts of a drilling rig used exclusively for exploration or development of minerals as
8 provided in R.S. 47:301(14)(g)(iii).

9 (91) Repairs and materials used on drilling rigs and equipment used
10 exclusively for exploration of development of minerals as provided in R.S. 47:305(I).

11 (92) Sales by thrift shops located on military installations as provided in R.S.
12 47:305.14(A)(4).

13 (93) Leases or rentals of vessels for use in offshore mineral production or the
14 provision of services to those engaged in mineral production as provided in R.S.
15 47:305.19.

16 (94) Sales of gasohol as provided in R.S. 47:305.28.

17 (95) Sales or purchases by sheltered workshops as provided in R.S.
18 47:305.38.

19 (96) Pharmaceutical samples manufactured or imported into the state free of
20 charge as provided in R.S. 47:305.47.

21 (97) The exclusion for surface preparation, painting, and coating fixed or
22 rotary wing aircraft and certified transport category aircraft registered outside of this
23 state, as provided in R.S. 47:301(14)(g)(iv).

24 (98) Sales of platinum, gold, and silver bullion, that is valued solely upon its
25 precious metal content, whether in coin or ingot form as provided in R.S.
26 47:301(16)(b)(ii)(aa).

27 (99) Sales of certain numismatic coins as provided in R.S.
28 47:301(16)(b)(ii)(bb) and (cc).

1 (1) At the rate of one quarter of one percent of the gross proceeds derived
2 from the lease or rental of tangible personal property, as defined in Chapter 2 of this
3 Subtitle, where the lease or rental of such property is in an established business, or
4 part of an established business, or the same is incidental or germane to the business.

5 (2) At the rate of one quarter of one percent of the monthly lease or rental
6 price paid by a lessee or rentee, or contracted or agreed to be paid by a lessee or
7 rentee to the owner of the tangible personal property.

8 C. In addition to the tax levied on sales of services by R.S. 47:302(C),
9 321(C), and 331(C) and collected under the provisions of Chapter 2 of this Subtitle,
10 there is hereby levied a tax upon all sales of services in this state, as those services
11 are defined by Chapter 2 of this Subtitle, at the rate of one quarter of one percent of
12 the amounts paid or charged for the services.

13 * * *

14 E. The provisions of this Section shall be inapplicable, inoperative, and of
15 no effect after June 30, ~~2018~~. 2021.

16 * * *

17 I. Notwithstanding any other provision of law to the contrary, including but
18 not limited to any contrary provisions of this Chapter, beginning July 1, 2018,
19 through and including June 30, 2021, there shall be no exemptions, and no
20 exclusions as defined in R.S. 47:301, to the tax levied pursuant to the provisions of
21 this Section, except for the retail sale, use, consumption, distribution, or storage for
22 use or consumption of the following items:

23 (1) Food for home consumption as defined in R.S. 47:305(D)(1)(n) through
24 (r) on January 1, 2003, as provided in Article VII, Section 2.2 of the Constitution of
25 Louisiana.

26 (2) Natural gas as provided in Article VII, Section 2.2 of the Constitution of
27 Louisiana.

28 (3) Electricity as provided in Article VII, Section 2.2 of the Constitution of
29 Louisiana.

1 (4) Water as provided in Article VII, Section 2.2 of the Constitution of
2 Louisiana.

3 (5) Prescription drugs as provided in Article VII, Section 2.2 of the
4 Constitution of Louisiana.

5 (6) Gasoline and other motor fuels subject to the state excise tax on fuel as
6 provided in Article VII, Section 27 of the Constitution of Louisiana.

7 (7) Sales to the United States government and its agencies as provided in
8 R.S. 47:301(10)(g).

9 (8) Other constructions permanently attached to the ground as provided in
10 R.S. 47:301(16)(l).

11 (9) Installation charges on tangible personal property as provided in R.S.
12 47:301(3)(a).

13 (10) Installation of oil field board roads as provided in R.S. 47:301(3)(c).

14 (11) Transactions involving the construction or overhaul of United States
15 Navy vessels as provided in R.S. 47:301(7)(c) and (14)(h).

16 (12) Property purchased for exclusive use outside the state as provided in
17 R.S. 47:305.10.

18 (13) Sales, leases, or rentals of tangible personal property paid by or under
19 the provisions of Medicare as provided in R.S. 47:315.3.

20 (14) Sales of human tissue transplants as provided in R.S. 47:301(10)(d).

21 (15) Sales of raw agricultural commodities as provided in R.S.
22 47:301(10)(e).

23 (16) Sales of food by a youth serving organization chartered by the Congress
24 of the United States as provided in R.S. 47:301(10)(h).

25 (17) Tangible personal property sold or donated to a food bank as provided
26 in R.S. 47:301(10)(j) and (18)(a)(i).

27 (18) Materials used in the collection of blood as provided in R.S.
28 47:301(16)(j).

- 1 (19) Aphaeresis kits and leuko reduction filters as provided in R.S.
2 47:301(16)(k).
- 3 (20) Donations to schools and food banks from resale inventory as provided
4 in R.S. 47:301(18)(a).
- 5 (21) Manufacturers rebates on a new motor vehicle as provided in R.S.
6 47:301(3)(e) and (13)(b).
- 7 (22) Leases or rentals of railroad rolling stock as provided in R.S.
8 47:301(4)(k).
- 9 (23) Sales, purchases and leases of tangible personal property by free
10 hospitals as provided in R.S. 47:301(7)(e), (10)(p), and (18)(c).
- 11 (24) Purchases by a nonprofit entity that sells donated goods as provided in
12 R.S. 47:301(8)(f).
- 13 (25) Tangible personal property for resale as provided in R.S.
14 47:301(10)(a)(i).
- 15 (26) Purchases of property for lease or rental as provided in R.S.
16 47:301(10)(a)(iii) and (18)(a)(iii).
- 17 (27) Isolated or occasional sales of tangible personal property by a person
18 not engaged in such business as provided in R.S. 47:301(1) and (10)(c)(ii)(bb).
- 19 (28) Use of a motor vehicle in Louisiana by a member of the active duty
20 military as provided in R.S. 47:303(A)(3)(a) and 305.48.
- 21 (29) Purchases made with food stamps and WIC as provided in R.S.
22 47:305.46.
- 23 (30) An article traded in on the purchase of tangible personal property as
24 provided in R.S. 47:301(13)(a).
- 25 (31) Donation of toys as provided in R.S. 47:301(10)(aa)(i) and (18)(m).
- 26 (32) Stocks, bonds, notes, and other obligations or securities as provided in
27 R.S. 47:301(16)(b)(i).
- 28 (33) Credit for sales and use taxes paid to another state on tangible personal
29 property imported in Louisiana as provided in R.S. 47:303(A)(3)(a).

- 1 (34) Work product of certain professionals as provided in R.S.
2 47:301(16)(e).
- 3 (35) Purchases by a regionally accredited independent educational institution
4 as provided in R.S. 47:301(8)(b).
- 5 (36) Sales through a coin-operated vending machine as provided in
6 R.S.47:301(10)(b)(i).
- 7 (37) Purchases by a private postsecondary academic degree-granting
8 institution as provided in R.S. 47:301(10)(cc) and(18)(n).
- 9 (38) Purchases of food items for school lunch and breakfast programs by a
10 nonpublic elementary or secondary school as provided in R.S. 47:301(10)(dd).
- 11 (39) Funeral directing services as provided in R.S. 47:301(14)(j).
- 12 (40) Feed and feed additives for animals held for business purposes as
13 provided in R.S. 47:305(A)(4).
- 14 (41) Farm products produced and used by farmers as provided in R.S.
15 47:305(B).
- 16 (42) Sale of fertilizer and containers to farmers as provided in R.S.
17 47:305(D)(1)(f).
- 18 (43) Sales of seeds for planting crops as provided in R.S. 47:305.3.
- 19 (44) Sales of pesticides for agricultural purposes as provided in R.S.
20 47:305.8.
- 21 (45) The cost price for the printing of a news publication as provided in R.S.
22 47:301(3)(h).
- 23 (46) Vehicle rentals to a warranty customer as provided in R.S. 47:301(7)(h).
- 24 (47) Leases or rentals of a crane and related equipment with an operator as
25 provided in R.S. 47:301(7)(k).
- 26 (48) Sales by and to the state and its political subdivisions as provided in
27 R.S. 47:301(8)(c).
- 28 (49) Sales of materials for further processing as provided in R.S.
29 47:301(10)(c)(i)(aa).

- 1 (50) The sales price for new farm equipment used in poultry production as
2 provided in R.S. 47:301(13)(c).
- 3 (51) A factory built home as provided in R.S. 47:301(16)(g).
- 4 (52) Any advertising service rendered by an advertising business as provided
5 in R.S. 47:302(D).
- 6 (53) Sales of livestock, poultry, and other farm products direct from a farm
7 as provided in R.S. 47:305(A)(1).
- 8 (54) Sales of livestock at a public sale sponsored by a breeders' or registry
9 association or at a livestock auction market as provided in R.S. 47:305(A)(2).
- 10 (55) Sales of agricultural commodities by a person other than the producer,
11 for use in further processing as provided in R.S. 47:305(A)(3).
- 12 (56) Transactions in interstate commerce and tangible personal property
13 imported into this state, or produced or manufactured in this state, for export as
14 provided in R.S. 47:305(E).
- 15 (57) Ships, vessels, barges, and related supplies as provided in R.S. 47:305.1.
- 16 (58) The sales price of new farm equipment, including polyroll tubing, as
17 provided in R.S. 47:305.25.
- 18 (59) A truck and trailer if used at least eighty percent of the time in interstate
19 commerce as provided in R.S. 47:305.50(A).
- 20 (60) Freight cars, piggyback trailers, and rail rolling stock, and railroad ties
21 as provided in 47:305.45 and 305.50(F).
- 22 (61) Councils on Aging as provided in R.S. 47:305.66.
- 23 (62) Sales of pharmaceuticals administered to livestock for agricultural
24 purposes as provided in R.S. 47:301(16)(f).
- 25 (63) Materials used in the production of crawfish and catfish as provided in
26 R.S. 47:305(A)(5) and (6).
- 27 (64) Sales of room rentals by a camp or retreat facility owned by a nonprofit
28 organization as provided in R.S. 47:301(6)(b).

1 (65) Sales of room rentals by a homeless shelter as provided in R.S.
2 47:301(6)(c).

3 (66) Sales, leases, and rentals of tangible personal property to Boys State of
4 Louisiana, Inc. and Girls State of Louisiana, Inc. as provided in R.S. 47:301(7)(g)
5 and (10)(r).

6 (67) Sales or purchases of fire-fighting equipment by a volunteer fire
7 department as provided in R.S. 47:301(10)(o).

8 (68) Sales to, and leases, rentals, and use of educational materials and
9 equipment used for classroom instruction by a parochial and private elementary and
10 secondary school that complies with the court order from the Dodd Brumfield
11 decision and Section 501(c)(3) of the Internal Revenue code as provided in R.S.
12 47:301(7)(f), (10)(q)(ii), and (18)(e)(ii).

13 (69) Sales by a parochial and private elementary and secondary school that
14 complies with the court order from the Dodd Brumfield decision and Section
15 501(c)(3) of the Internal Revenue code as provided in R.S. 47:301(10)(q)(i) and
16 (18)(e)(i).

17 (70) Sales, as provided in R.S. 47:301(14)(b)(i), but only of admissions to
18 an athletic and entertainment event held for or by an elementary or secondary school
19 and membership fees or dues of a nonprofit, civic association.

20 (71) Sales or use of orthotic devices, prosthetic devices, hearing aids,
21 eyeglasses, contact lenses, and wheelchairs prescribed by a physician, optometrist,
22 or licensed chiropractor used exclusively by the patient for personal use as provided
23 in R.S. 47:305(D)(1)(k).

24 (72) Sales or use of ostomy, colostomy, and ileostomy devices and
25 equipment as provided in R.S. 47:305(D)(1)(l).

26 (73) Sales of medical devices as provided in R.S. 47:305(D)(1)(s).

27 (74) Sales of orthotic and prosthetic devices and restorative materials utilized
28 and prescribed by dentists as provided in R.S. 47:305(D)(1)(t).

1 (75) Sales or use of adaptive driving equipment and motor vehicle
2 modification prescribed for personal use as provided in R.S. 47:305(D)(1)(u).

3 (76) Sales or use of a meal by an educational institution, medical facility,
4 mental institution, and an occasional meal furnished by an educational, religious, or
5 medical organization as provided in R.S. 47:305(D)(2).

6 (77) Purchases or rentals of kidney dialysis machines, parts, materials, and
7 supplies for home use under a physician's prescription as provided in R.S. 47:305(G).

8 (78) Sales of admission to entertainment events by a Little Theater
9 organization as provided in R.S. 47:305.6.

10 (79) Sales of admission to musical performances sponsored by a nonprofit
11 organization as provided in R.S. 47:305.7.

12 (80) Sales of admissions to entertainment events sponsored by domestic
13 nonprofit charitable, religious, and educational organizations as provided in R.S.
14 47:305.13.

15 (81) Sales of admissions, parking fees, and sales of tangible personal
16 property at events sponsored by domestic, civic, educational, historical, charitable,
17 fraternal, or religious nonprofit organizations as provided in R.S. 47:305.14(A)(1).

18 (82) Sales of admissions and parking fees at fairs and festivals sponsored by
19 nonprofit organizations as provided in R.S. 47:305.18.

20 (83) Purchases of fishing vessels, supplies, fuels, lubricants, and repairs for
21 the vessels of licensed commercial fishermen as provided in R.S. 47:305.20.

22 (84) Sales of butane, propane, or other liquified petroleum gases for private,
23 residential consumption as provided in R.S. 47:305.39.

24 (85) Sales and purchases by certain organizations that provide training for
25 blind persons as provided in R.S. 47:305.15.

26 (86) Purchases and leases by qualified radiation therapy treatment centers as
27 provided in R.S. 47:305.64.

28 (87) Sales of electricity for chlor-alkali manufacturing as provided in R.S.
29 47:301(10)(c)(ii)(aa).

1 (88) Rentals or leases of certain oilfield property for re-lease or re-rental as
2 provided in R.S. 47:301(7)(b).

3 (89) Sales of aircraft manufactured in Louisiana with a capacity in excess of
4 eight persons as provided in R.S. 47:301(10)(m).

5 (90) Labor, materials, services, and supplies used for the repair, renovation,
6 or conversion of drilling rig machinery and equipment which become component
7 parts of a drilling rig used exclusively for exploration or development of minerals as
8 provided in R.S. 47:301(14)(g)(iii).

9 (91) Repairs and materials used on drilling rigs and equipment used
10 exclusively for exploration of development of minerals as provided in R.S. 47:305(I).

11 (92) Sales by thrift shops located on military installations as provided in R.S.
12 47:305.14(A)(4).

13 (93) Leases or rentals of vessels for use in offshore mineral production or the
14 provision of services to those engaged in mineral production as provided in R.S.
15 47:305.19.

16 (94) Sales of gasohol as provided in R.S. 47:305.28.

17 (95) Sales or purchases by sheltered workshops as provided in R.S.
18 47:305.38.

19 (96) Pharmaceutical samples manufactured or imported into the state free of
20 charge as provided in R.S. 47:305.47.

21 (97) The exclusion for surface preparation, painting, and coating fixed or
22 rotary wing aircraft and certified transport category aircraft registered outside of this
23 state, as provided in R.S. 47:301(14)(g)(iv).

24 (98) Sales of platinum, gold, and silver bullion, that is valued solely upon its
25 precious metal content, whether in coin or ingot form as provided in R.S.
26 47:301(16)(b)(ii)(aa).

27 (99) Sales of certain numismatic coins as provided in R.S.
28 47:301(16)(b)(ii)(bb) and (cc).

- 1 (7) Sales to the United States government and its agencies as provided in
2 R.S. 47:301(10)(g).
- 3 (8) Other constructions permanently attached to the ground as provided in
4 R.S. 47:301(16)(l).
- 5 (9) Installation charges on tangible personal property as provided in R.S.
6 47:301(3)(a).
- 7 (10) Installation of oil field board roads as provided in R.S. 47:301(3)(c).
- 8 (11) Transactions involving the construction or overhaul of United States
9 Navy vessels as provided in R.S. 47:301(7)(c) and (14)(h).
- 10 (12) Property purchased for exclusive use outside the state as provided in
11 R.S. 47:305.10.
- 12 (13) Sales, leases, or rentals of tangible personal property paid by or under
13 the provisions of Medicare as provided in R.S. 47:315.3.
- 14 (14) Sales of human tissue transplants as provided in R.S. 47:301(10)(d).
- 15 (15) Sales of raw agricultural commodities as provided in R.S.
16 47:301(10)(e).
- 17 (16) Sales of food by a youth serving organization chartered by the Congress
18 of the United States as provided in R.S. 47:301(10)(h).
- 19 (17) Tangible personal property sold or donated to a food bank as provided
20 in R.S. 47:301(10)(j) and (18)(a)(i).
- 21 (18) Materials used in the collection of blood as provided in R.S.
22 47:301(16)(j).
- 23 (19) Aphaeresis kits and leuko reduction filters as provided in R.S.
24 47:301(16)(k).
- 25 (20) Donations to schools and food banks from resale inventory as provided
26 in R.S. 47:301(18)(a).
- 27 (21) Manufacturers rebates on a new motor vehicle as provided in R.S.
28 47:301(3)(e) and (13)(b).

- 1 (22) Leases or rentals of railroad rolling stock as provided in R.S.
2 47:301(4)(k).
- 3 (23) Sales, purchases and leases of tangible personal property by free
4 hospitals as provided in R.S. 47:301(7)(e), (10)(p), and (18)(c).
- 5 (24) Purchases by a nonprofit entity that sells donated goods as provided in
6 R.S. 47:301(8)(f).
- 7 (25) Tangible personal property for resale as provided in R.S.
8 47:301(10)(a)(i).
- 9 (26) Purchases of property for lease or rental as provided in R.S.
10 47:301(10)(a)(iii) and (18)(a)(iii).
- 11 (27) Isolated or occasional sales of tangible personal property by a person
12 not engaged in such business as provided in R.S. 47:301(1) and (10)(c)(ii)(bb).
- 13 (28) Use of a motor vehicle in Louisiana by a member of the active duty
14 military as provided in R.S. 47:303(A)(3)(a) and 305.48.
- 15 (29) Purchases made with food stamps and WIC as provided in R.S.
16 47:305.46.
- 17 (30) An article traded in on the purchase of tangible personal property as
18 provided in R.S. 47:301(13)(a).
- 19 (31) Donation of toys as provided in R.S. 47:301(10)(aa)(i) and (18)(m).
- 20 (32) Stocks, bonds, notes, and other obligations or securities as provided in
21 R.S. 47:301(16)(b)(i).
- 22 (33) Credit for sales and use taxes paid to another state on tangible personal
23 property imported in Louisiana as provided in R.S. 47:303(A)(3)(a).
- 24 (34) Work product of certain professionals as provided in R.S.
25 47:301(16)(e).
- 26 (35) Purchases by a regionally accredited independent educational institution
27 as provided in R.S. 47:301(8)(b).
- 28 (36) Sales through a coin-operated vending machine as provided in
29 R.S.47:301(10)(b)(i).

- 1 (37) Purchases by a private postsecondary academic degree-granting
2 institution as provided in R.S. 47:301(10)(cc) and(18)(n).
- 3 (38) Purchases of food items for school lunch and breakfast programs by a
4 nonpublic elementary or secondary school as provided in R.S. 47:301(10)(dd).
- 5 (39) Funeral directing services as provided in R.S. 47:301(14)(j).
- 6 (40) Feed and feed additives for animals held for business purposes as
7 provided in R.S. 47:305(A)(4).
- 8 (41) Farm products produced and used by farmers as provided in R.S.
9 47:305(B).
- 10 (42) Sale of fertilizer and containers to farmers as provided in R.S.
11 47:305(D)(1)(f).
- 12 (43) Sales of seeds for planting crops as provided in R.S. 47:305.3.
- 13 (44) Sales of pesticides for agricultural purposes as provided in R.S.
14 47:305.8.
- 15 (45) The cost price for the printing of a news publication as provided in R.S.
16 47:301(3)(h).
- 17 (46) Vehicle rentals to a warranty customer as provided in R.S. 47:301(7)(h).
- 18 (47) Leases or rentals of a crane and related equipment with an operator as
19 provided in R.S. 47:301(7)(k).
- 20 (48) Sales by and to the state and its political subdivisions as provided in
21 R.S. 47:301(8)(c).
- 22 (49) Sales of materials for further processing as provided in R.S.
23 47:301(10)(c)(i)(aa).
- 24 (50) The sales price for new farm equipment used in poultry production as
25 provided in R.S. 47:301(13)(c).
- 26 (51) A factory built home as provided in R.S. 47:301(16)(g).
- 27 (52) Any advertising service rendered by an advertising business as provided
28 in R.S. 47:302(D).

1 (53) Sales of livestock, poultry, and other farm products direct from a farm
2 as provided in R.S. 47:305(A)(1).

3 (54) Sales of livestock at a public sale sponsored by a breeders' or registry
4 association or at a livestock auction market as provided in R.S. 47:305(A)(2).

5 (55) Sales of agricultural commodities by a person other than the producer,
6 for use in further processing as provided in R.S. 47:305(A)(3).

7 (56) Transactions in interstate commerce and tangible personal property
8 imported into this state, or produced or manufactured in this state, for export as
9 provided in R.S. 47:305(E).

10 (57) Ships, vessels, barges, and related supplies as provided in R.S. 47:305.1.

11 (58) The sales price of new farm equipment, including polyroll tubing, as
12 provided in R.S. 47:305.25.

13 (59) A truck and trailer if used at least eighty percent of the time in interstate
14 commerce as provided in R.S. 47:305.50(A).

15 (60) Freight cars, piggyback trailers, and rail rolling stock, and railroad ties
16 as provided in 47:305.45 and 305.50(F).

17 (61) Councils on Aging as provided in R.S. 47:305.66.

18 (62) Sales of pharmaceuticals administered to livestock for agricultural
19 purposes as provided in R.S. 47:301(16)(f).

20 (63) Materials used in the production of crawfish and catfish as provided in
21 R.S. 47:305(A)(5) and (6).

22 (64) Sales of room rentals by a camp or retreat facility owned by a nonprofit
23 organization as provided in R.S. 47:301(6)(b).

24 (65) Sales of room rentals by a homeless shelter as provided in R.S.
25 47:301(6)(c).

26 (66) Sales, leases, and rentals of tangible personal property to Boys State of
27 Louisiana, Inc. and Girls State of Louisiana, Inc. as provided in R.S. 47:301(7)(g)
28 and (10)(r).

1 (67) Sales or purchases of fire-fighting equipment by a volunteer fire
2 department as provided in R.S. 47:301(10)(o).

3 (68) Sales to, and leases, rentals, and use of educational materials and
4 equipment used for classroom instruction by a parochial and private elementary and
5 secondary school that complies with the court order from the Dodd Brumfield
6 decision and Section 501(c)(3) of the Internal Revenue code as provided in R.S.
7 47:301(7)(f), (10)(q)(ii), and (18)(e)(ii).

8 (69) Sales by a parochial and private elementary and secondary school that
9 complies with the court order from the Dodd Brumfield decision and Section
10 501(c)(3) of the Internal Revenue code as provided in R.S. 47:301(10)(q)(i) and
11 (18)(e)(i).

12 (70) Sales, as provided in R.S. 47:301(14)(b)(i), but only of admissions to
13 an athletic and entertainment event held for or by an elementary or secondary school
14 and membership fees or dues of a nonprofit, civic association.

15 (71) Sales or use of orthotic devices, prosthetic devices, hearing aids,
16 eyeglasses, contact lenses, and wheelchairs prescribed by a physician, optometrist,
17 or licensed chiropractor used exclusively by the patient for personal use as provided
18 in R.S. 47:305(D)(1)(k).

19 (72) Sales or use of ostomy, colostomy, and ileostomy devices and
20 equipment as provided in R.S. 47:305(D)(1)(l).

21 (73) Sales of medical devices as provided in R.S. 47:305(D)(1)(s).

22 (74) Sales of orthotic and prosthetic devices and restorative materials utilized
23 and prescribed by dentists as provided in R.S. 47:305(D)(1)(t).

24 (75) Sales or use of adaptive driving equipment and motor vehicle
25 modification prescribed for personal use as provided in R.S. 47:305(D)(1)(u).

26 (76) Sales or use of a meal by an educational institution, medical facility,
27 mental institution, and an occasional meal furnished by an educational, religious, or
28 medical organization as provided in R.S. 47:305(D)(2).

1 (77) Purchases or rentals of kidney dialysis machines, parts, materials, and
2 supplies for home use under a physician's prescription as provided in R.S. 47:305(G).

3 (78) Sales of admission to entertainment events by a Little Theater
4 organization as provided in R.S. 47:305.6.

5 (79) Sales of admission to musical performances sponsored by a nonprofit
6 organization as provided in R.S. 47:305.7.

7 (80) Sales of admissions to entertainment events sponsored by domestic
8 nonprofit charitable, religious, and educational organizations as provided in R.S.
9 47:305.13.

10 (81) Sales of admissions, parking fees, and sales of tangible personal
11 property at events sponsored by domestic, civic, educational, historical, charitable,
12 fraternal, or religious nonprofit organizations as provided in R.S. 47:305.14(A)(1).

13 (82) Sales of admissions and parking fees at fairs and festivals sponsored by
14 nonprofit organizations as provided in R.S. 47:305.18.

15 (83) Purchases of fishing vessels, supplies, fuels, lubricants, and repairs for
16 the vessels of licensed commercial fishermen as provided in R.S. 47:305.20.

17 (84) Sales of butane, propane, or other liquified petroleum gases for private,
18 residential consumption as provided in R.S. 47:305.39.

19 (85) Sales and purchases by certain organizations that provide training for
20 blind persons as provided in R.S. 47:305.15.

21 (86) Purchases and leases by qualified radiation therapy treatment centers as
22 provided in R.S. 47:305.64.

23 (87) Sales of electricity for chlor-alkali manufacturing as provided in R.S.
24 47:301(10)(c)(ii)(aa).

25 (88) Rentals or leases of certain oilfield property for re-lease or re-rental as
26 provided in R.S. 47:301(7)(b).

27 (89) Sales of aircraft manufactured in Louisiana with a capacity in excess of
28 eight persons as provided in R.S. 47:301(10)(m).

1 (90) Labor, materials, services, and supplies used for the repair, renovation,
2 or conversion of drilling rig machinery and equipment which become component
3 parts of a drilling rig used exclusively for exploration or development of minerals as
4 provided in R.S. 47:301(14)(g)(iii).

5 (91) Repairs and materials used on drilling rigs and equipment used
6 exclusively for exploration or development of minerals as provided in R.S. 47:305(I).

7 (92) Sales by thrift shops located on military installations as provided in R.S.
8 47:305.14(A)(4).

9 (93) Leases or rentals of vessels for use in offshore mineral production or the
10 provision of services to those engaged in mineral production as provided in R.S.
11 47:305.19.

12 (94) Sales of gasohol as provided in R.S. 47:305.28.

13 (95) Sales or purchases by sheltered workshops as provided in R.S.
14 47:305.38.

15 (96) Pharmaceutical samples manufactured or imported into the state free of
16 charge as provided in R.S. 47:305.47.

17 (97) The exclusion for surface preparation, painting, and coating fixed or
18 rotary wing aircraft and certified transport category aircraft registered outside of this
19 state, as provided in R.S. 47:301(14)(g)(iv).

20 (98) Sales of platinum, gold, and silver bullion, that is valued solely upon its
21 precious metal content, whether in coin or ingot form as provided in R.S.
22 47:301(16)(b)(ii)(aa).

23 (99) Sales of certain numismatic coins as provided in R.S.
24 47:301(16)(b)(ii)(bb) and (cc).

25 (100) Purchases, use, and lease of manufacturing machinery and equipment
26 as provided in R.S. 47:301(3)(i), (13)(k) and (28)(a).

27 (101) The sale or use of steam, water, electric power or energy, natural gas,
28 or energy sources as provided in R.S. 47:305(D)(1)(b), (c), (d), (g), and (h).

1 W. The provisions of Subsection V shall supercede and control to the extent
 2 of conflict with any other provision of law beginning June 30, 2018, through June
 3 30, 2021.

4 Section 2. R.S. 47:302(Y), 321(M), 331(T), and Act No. 395 of the 2017 Regular
 5 Session of the Legislature are hereby repealed in their entirety.

6 Section 3. The provisions of this Act shall become effective on July 1, 2018, but
 7 only if all of the following conditions are met:

8 (A) The Acts which originated as House Bill Nos. 2, 3, 8, 12, and 29 of this 2018
 9 First Extraordinary Session of the Legislature are enacted and if any of the Acts are vetoed
 10 by the governor, the Act is subsequently approved by the legislature.

11 (B) House Concurrent Resolution No. 2 of this 2018 First Extraordinary Session of
 12 the Legislature is adopted by the legislature.

13 (C) The proposed amendment of Article VII of the Constitution of Louisiana
 14 contained in the Act which originated as House Bill No. 15 of this 2018 First Extraordinary
 15 Session of the Legislature is adopted by the legislature.

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)]

HB 23 Engrossed

2018 First Extraordinary Session

Dwight

Abstract: Changes the rate of the temporary state sales and use tax from 1% to 0.25% and extends the sunset from July 1, 2018, to June 30, 2021, and provides for the applicability of exclusions and exemptions to all state sales and use tax levies.

Present law imposes a 1% state sales and use tax on the sale, use, consumption, storage, or lease of tangible personal property and certain services in La. The imposition of the tax expires on June 30, 2018.

Proposed law changes present law by reducing the rate of the tax from 1% to 0.25%, and by extending the sunset of the tax from June 30, 2018, to June 30, 2021.

Present law establishes a variety of exclusions and exemptions (exemptions) applicable to state sales and use tax.

Present law suspends numerous exemptions from the four levies of state sales and use tax (R.S. 47:302, 321, 321.1, and 331) for two different periods of time, both occurring between April 1, 2016, and June 30, 2018.

Present law provides that the suspension of certain exemptions for purposes of the tax levies in R.S. 47:321 and 331, expired June 30, 2016. The suspension with respect to the tax levies in R.S. 47:302 and 321.1, remains effective through June 30, 2018.

Proposed law changes present law regarding the effectiveness of all exemptions by establishing that on and after July 1, 2018, through June 30, 2021, only the following exemptions shall be applicable to all state sales and use tax levies:

- (1) Food for home consumption as defined in R.S. 47:305(D)(1)(n) through (r) on Jan. 1, 2003. (Const. Art. VII, §2.2)
- (2) Natural gas. (Const. Art. VII, §2.2)
- (3) Electricity. (Const. Art. VII, §2.2)
- (4) Water. (Const. Art. VII, §2.2)
- (5) Prescription drugs. (Const. Art. VII, §2.2)
- (6) Gasoline and other motor fuels subject to the state excise tax on fuel (Const. Art. VII, §27)
- (7) Sales to the U.S. government and its agencies. (R.S. 47:301(10)(g))
- (8) Other constructions permanently attached to the ground. (R.S. 47:301(16)(l))
- (9) Installation charges on tangible personal property. (R.S. 47:301(3)(a))
- (10) Installation of oil field board roads. (R.S. 47:301(3)(c))
- (11) Transactions involving the construction or overhaul of U.S. Navy vessels. (R.S. 47:301(7)(c) and (14)(h))
- (12) Property purchased for exclusive use outside the state. (R.S. 47:305.10)
- (13) Sales, leases, or rentals of tangible personal property paid by or under the provisions of Medicare. (R.S. 47:315.3)
- (14) Sales of human tissue transplants. (R.S. 47:301(10)(d))
- (15) Sales of raw agricultural commodities. (R.S. 47:301(10)(e))
- (16) Sales of food by a youth serving organization chartered by the U.S. Congress. (R.S. 47:301(10)(h))
- (17) Tangible personal property sold or donated to a food bank. (R.S. 47:301(10)(j) and (18)(a)(i))
- (18) Materials used in the collection of blood. (R.S. 47:301(16)(j))
- (19) Aphaeresis kits and leuko reduction filters. (R.S. 47:301(16)(k))
- (20) Donations to schools and food banks from resale inventory. (R.S. 47:301(18)(a))
- (21) Manufacturers rebates on a new motor vehicle. (R.S. 47:301(3)(e) and (13)(b))
- (22) Leases or rentals of railroad rolling stock. (R.S. 47:301(4)(k))

- (23) Sales, purchases and leases of tangible personal property by free hospitals. (R.S. 47:301(7)(e), (10)(p), and (18)(c))
- (24) Purchases by a nonprofit entity that sells donated goods. (R.S. 47:301(8)(f))
- (25) Tangible personal property for resale. (R.S. 47:301(10)(a)(i))
- (26) Purchases of property for lease or rental. (R.S. 47:301(10)(a)(iii) and (18)(a)(iii))
- (27) Isolated or occasional sales of tangible personal property by a person not engaged in such business. (R.S. 47:301(1) and (10)(c)(ii)(bb))
- (28) Use of a motor vehicle in La. by a member of the active duty military. (R.S. 47:303(A) and 305.48)
- (29) Purchases made with food stamps and WIC. (R.S. 47:305.46)
- (30) An article traded in on the purchase of tangible personal property. (R.S. 47:301(13)(a))
- (31) Donation of toys. (R.S. 47:301(10)(aa)(i) and (18)(m))
- (32) Stocks, bonds, notes, and other obligations or securities. (R.S. 47:301(16)(b)(i))
- (33) Credit for sales and use taxes paid to another state on tangible personal property imported in La. (R.S. 47:303(A)(3)(a))
- (34) Work product of certain professionals. (R.S. 47:301(16)(e))
- (35) Purchases by a regionally accredited independent educational institution. (R.S. 47:301(8)(b))
- (36) Sales through a coin-operated vending machine. (R.S.47:301(10)(b)(i))
- (37) Purchases by a private postsecondary academic degree-granting institution. (R.S. 47:301(10)(cc) and(18)(n))
- (38) Purchases of food items for school lunch and breakfast programs by a nonpublic elementary or secondary school. (R.S. 47:301(10)(dd))
- (39) Funeral directing services. (R.S. 47:301(14)(j))
- (40) Feed and feed additives for animals held for business purposes. (R.S. 47:305(A)(4))
- (41) Farm products produced and used by farmers. (R.S. 47:305(B))
- (42) Sale of fertilizer and containers to farmers. (R.S. 47:305(D)(1)(f))
- (43) Sales of seeds for planting crops. (R.S. 47:305.3)
- (44) Sales of pesticides for agricultural purposes. (R.S. 47:305.8)
- (45) The cost price for the printing of a news publication. (R.S. 47:301(3)(h))
- (46) Vehicle rentals to a warranty customer. (R.S. 47:301(7)(h))
- (47) Leases or rentals of a crane and related equipment with an operator. (R.S. 47:301(7)(k))

- (48) Sales by and to the state and its political subdivisions. (R.S. 47:301(8)(c))
- (49) Sales of materials for further processing. (R.S. 47:301(10)(c)(i)(aa))
- (50) The sales price for new farm equipment used in poultry production. (R.S. 47:301(13)(c))
- (51) A factory built home. (R.S. 47:301(16)(g))
- (52) Any advertising service rendered by an advertising business. (R.S. 47:302(D))
- (53) Sales of livestock, poultry, and other farm products direct from a farm. (R.S. 47:305(A)(1))
- (54) Sales of livestock at a public sale sponsored by a breeders' or registry association or at a livestock auction market. (R.S. 47:305(A)(2))
- (55) Sales of agricultural commodities by a person other than the producer, for use in further processing. (R.S. 47:305(A)(3))
- (56) Transactions in interstate commerce and tangible personal property imported into this state, or produced or manufactured in this state for export. (R.S. 47:305(E))
- (57) Ships, vessels, barges, and related supplies. (R.S. 47:305.1)
- (58) The sales price of new farm equipment, including polyroll tubing. (R.S. 47:305.25)
- (59) A truck and trailer if used at least 80% of the time in interstate commerce. (R.S. 47:305.50(A))
- (60) Freight cars, piggyback trailers, and rail rolling stock, and railroad ties. (R.S. 47:305.45 and 305.50(F))
- (61) Councils on Aging. (R.S. 47:305.66)
- (62) Sales of pharmaceuticals administered to livestock for agricultural purposes. (R.S. 47:301(16)(f))
- (63) Materials used in the production of crawfish and catfish. (R.S. 47:305(A)(5) and (6))
- (64) Sales of room rentals by a camp or retreat facility owned by a nonprofit organization. (R.S. 47:301(6)(b))
- (65) Sales of room rentals by a homeless shelter. (R.S. 47:301(6)(c))
- (66) Sales, leases, and rentals of tangible personal property to Boys State of La., Inc. and Girls State of La., Inc. (R.S. 47:301(7)(g) and (10)(r))
- (67) Sales or purchases of fire-fighting equipment by a volunteer fire department. (R.S. 47:301(10)(o))
- (68) Sales to, and leases, rentals, and use of educational materials and equipment used for classroom instruction by a parochial and private elementary and secondary school that complies with the court order from the Dodd Brumfield decision and federal law. (R.S. 47:301(7)(f), (10)(q)(ii), and (18)(e)(ii))

- (69) Sales by a parochial and private elementary and secondary school that complies with the court order from the Dodd Brumfield decision and federal law.
(R.S. 47:301(10)(q)(i) and (18)(e)(i))
- (70) Sales, (R.S. 47:301(14)(b)(i)), but only of admissions to an athletic and entertainment event held for or by an elementary or secondary school and membership fees or dues of a nonprofit, civic association.
- (71) Sales or use of orthotic devices, prosthetic devices, hearing aids, eyeglasses, contact lenses, and wheelchairs prescribed by a physician, optometrist, or licensed chiropractor used exclusively by the patient for personal use. (R.S. 47:305(D)(1)(k))
- (72) Sales or use of ostomy, colostomy, and ileostomy devices and equipment.
(R.S. 47:305(D)(1)(l))
- (73) Sales of medical devices. (R.S. 47:305(D)(1)(s))
- (74) Sales of orthotic and prosthetic devices and restorative materials utilized and prescribed by dentists. (R.S. 47:305(D)(1)(t))
- (75) Sales or use of adaptive driving equipment and motor vehicle modification prescribed for personal use. (R.S. 47:305(D)(1)(u))
- (76) Sales or use of a meal by an educational institution, medical facility, mental institution, and an occasional meal furnished by an educational, religious, or medical organization. (R.S. 47:305(D)(2))
- (77) Purchases or rentals of kidney dialysis machines, parts, materials, and supplies for home use under a physician's prescription. (R.S. 47:305(G))
- (78) Sales of admission to entertainment events by a Little Theater organization. (R.S. 47:305.6)
- (79) Sales of admission to musical performances sponsored by a nonprofit organization.
(R.S. 47:305.7)
- (80) Sales of admissions to entertainment events sponsored by domestic nonprofit charitable, religious, and educational organizations. (R.S. 47:305.13)
- (81) Sales of admissions, parking fees, and sales of tangible personal property at events sponsored by domestic, civic, educational, historical, charitable, fraternal, or religious nonprofit organizations. (R.S. 47:305.14(A)(1))
- (82) Sales of admissions and parking fees at fairs and festivals sponsored by nonprofit organizations. (R.S. 47:305.18)
- (83) Purchases of fishing vessels, supplies, fuels, lubricants, and repairs for the vessels of licensed commercial fishermen. (R.S. 47:305.20)
- (84) Sales of butane, propane, or other liquified petroleum gases for private, residential consumption. (R.S. 47:305.39)
- (85) Sales and purchases by certain organizations that provide training for blind persons.
(R.S. 47:305.15)
- (86) Purchases and lease by qualified radiation therapy treatment centers.
(R.S. 47:305.64)

- (87) Sales of electricity for chlor-alkali manufacturing. (R.S. 47:301(10)(c)(ii)(aa))
- (88) Rentals or leases of certain oilfield property for re-lease or re-rental.
(R.S. 47:301(7)(b))
- (89) Sales of aircraft manufactured in La. with a capacity in excess of eight persons.
(R.S. 47:301(10)(m))
- (90) Labor, materials, services, and supplies used for the repair, renovation, or conversion of drilling rig machinery and equipment which become component parts of a drilling rig used exclusively for exploration or development of minerals.
(R.S. 47:301(14)(g)(iii))
- (91) Repairs and materials used on drilling rigs and equipment used exclusively for exploration or development of minerals. (R.S. 47:305(I))
- (92) Sales by thrift shops located on military installations. (R.S. 47:305.14(A)(4))
- (93) Leases or rentals of vessels for use in offshore mineral production, or the provision of services to those engaged in mineral production. (R.S. 47:305.19)
- (94) Sales of gasohol. (R.S. 47:305.28)
- (95) Sales or purchases by sheltered workshops. (R.S. 47:305.38)
- (96) Pharmaceutical samples manufactured or imported into the state free of charge.
(R.S. 47:305.47)
- (97) The exclusion for surface preparation, painting, and coating fixed or rotary wing aircraft and certified transport category aircraft registered outside of this state.
(R.S. 47:301(14)(g)(iv))
- (98) Sales of platinum, gold, and silver bullion, that is valued solely upon its precious metal content, whether in coin or ingot form. (R.S. 47:301(16)(b)(ii)(aa))
- (99) Sales of certain numismatic coins. (R.S. 47:301(16)(b)(ii)(bb) and (cc))
- (100) Purchases, use, and lease of manufacturing machinery and equipment. (R.S. 47:301(3)(i), (13)(k) and (28)(a))

Proposed law provides that the exemption for nonresidential sales and use of steam, water, electric power or energy, natural gas, or other energy sources as provided in R.S. 47:305(D)(1)(b), (c), (d), (g), and (h) shall be applicable and effective for all state sales and use taxes other than the 2% tax imposed under R.S. 47:302.

Effective July 1, 2018, but only if the Acts which originated as House Bill Nos. 2, 3, 8, 12, and 29 of this 2018 First E. S. are enacted, if HCR No. 2 of this 2018 First E.S. is adopted, and the proposed amendment of Article VII of the Constitution of Louisiana contained in the Act which originated as HB No. 15 of this 2018 First E.S. is adopted by the legislature.

(Amends R.S. 47:321.1(A) - (C) and (E); Adds 47:302(BB) and (CC), 321(P) and (Q), 321.1(I) and (J), and 331(V) and (W); Repeals R.S. 47:302(Y), 321(M), 331(T), and Act No. 395 of the 2017 R.S.)

Summary of Amendments Adopted by House

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

1. Sunset the effectiveness of proposed law on June 30, 2021.
2. Reduce the rate for renewal of the expiring temporary 1% sales and use tax levy from 0.5% to 0.25%.
3. Extend applicability of the sales and use tax exemptions for nonresidential utilities used by all businesses to all state tax levies other than the 2% tax imposed under R.S. 47:302.
4. Change the effective date of proposed law from governor's signature to effectiveness based on enactment of HB Nos. 2, 3, 8, 12, and 29, adoption of HCR No. 2, and the proposed amendment of Article VII of the Constitution contained in the Act which originated as HB No. 15 is adopted, all from the 2018 First E.S.