SLS 182ES-3 ORIGINAL

2018 Second Extraordinary Session

SENATE BILL NO. 12

1

BY SENATOR PEACOCK

TAX/SALES. Provides a state sales and use tax exemption for water for residential use that is not separately metered. (Item #23) (7/1/18)

AN ACT

2	To enact R.S. 47:301(10)(z), relative to state sales and use tax on water sold for residential
3	use; to exempt water for residential use from state sales and use tax when a residence
4	is not separately metered; and to provide for related matters.
5	Be it enacted by the Legislature of Louisiana:
6	Section 1. R.S. 47:301(10)(z) is hereby enacted to read as follows:
7	§301. Definitions
8	As used in this Chapter the following words, terms, and phrases have the
9	meanings ascribed to them in this Section, unless the context clearly indicates a
10	different meaning:
11	* * *
12	(10) * * *
13	(z) For purposes of the sales and use tax imposed by the state or any
14	political subdivision whose boundaries are coterminous with those of the state,
15	the terms "retail sale" or "sale at retail" shall not include the sale or purchase
16	of water for residential use by the consumer. "Sale or purchase of water for
17	residential use by the consumer" includes the furnishing of water to single

private residences, including the separate private units of apartment houses and
other multiple residential dwellings, where the water is actually used for
residential purposes, irrespective of whether the resident or a person other than
the resident is contractually bound to the supplier for the charges, actually pays
the charges, or is billed for the charges. "Water for residential use" shall not
include any water in bottles, jugs, or other containers.

\* \* \*

Section 2. This Act shall become effective on July 1, 2018

The original instrument and the following digest, which constitutes no part

of the legislative instrument, were prepared by Leonore Heavey.

## **DIGEST**

SB 12 Original

2018 Second Extraordinary Session

Peacock

<u>Present constitution</u> provides that purchases of water for residential use are exempt from the state sales and use tax.

<u>Present constitution</u> provides that the sales tax exemption for water for residential use is applicable to apartment buildings and other multi-unit residences, but only if each unit is separately metered.

<u>Proposed law</u> retains the sales tax exemption in <u>present constitution</u> and adds a statutory exclusion from sales tax for residential use that does not require separate metering of water for multi-unit residences so long as the water is for residential use, and further provides that water for residential use does not include water in bottles, jugs, or other containers.

Effective July 1, 2018.

(Adds R.S. 47:301(10)(z))