

BY REPRESENTATIVE FARNUM

To amend and reenact R.S. 47:1407 and to enact R.S. 47:1515 and 1676(M), relative to the enforcement and adjudication of certain tax matters; to prohibit certain lawsuits against the Department of Revenue and the office of debt recovery; to provide for the jurisdiction of the Board of Tax Appeals; to limit the Board of Tax Appeal's jurisdiction with respect to certain tax matters; to provide for effectiveness; and to provide for related matters.

Section 1. R.S. 47:1407 is hereby amended and reenacted and R.S. 47:1515 and 1676(M) are hereby enacted to read as follows:

A. The jurisdiction of the board shall extend to the following:

(2) All matters relating to the waiver of penalties, as provided in R.S. 47:1451.

(b) All other jurisdiction otherwise provided by law, including jurisdiction concerning ad valorem taxes pursuant to Subtitle III of this Title, rules to cease assessment, ordinary collection suits, summary tax proceedings, rules to seek summary of interpretation of common sales and use tax law or local sales and use tax law, as provided in R.S. 47:337.101(A)(2), and petitions concerning the validity

1 of a collector's rules, regulations, or private letter rulings, as provided in R.S.
2 47:337.102.

3 (4) All matters relating to claims against the state, as provided in R.S.
4 47:1481 through 1486.

5 (5) Incidental demands authorized by law in any action pending before the
6 board in the same manner as in a district court pursuant to Code of Civil Procedure
7 Article 1031.

8 (6) All matters relating to appeals of administrative hearings, assessments,
9 and refund denials by the Louisiana Sales and Use Tax Commission for Remote
10 Sellers.

11 (7) A petition for declaratory judgment or other action relating to any state
12 or local tax or fee, concerning taxing districts and related proceeds, or relating to
13 contracts related to tax matters; and including disputes related to the constitutionality
14 of a law or ordinance or validity of a regulation concerning any related matter or
15 concerning any state or local tax or fee.

16 B. The board shall not have jurisdiction to hear class action lawsuits brought
17 against the secretary of the Department of Revenue by or on behalf of taxpayers or
18 any other interested party arising from or related to the administration of tax laws
19 and all related matters.

20 * * *

21 §1515. Prohibition of class action lawsuits

22 Notwithstanding any law to the contrary, no class action lawsuit shall be
23 brought against the secretary of the Department of Revenue in the Board of Tax
24 Appeals or any state or federal court by or on behalf of taxpayers or any other
25 interested party arising from or related to the administration of tax laws and all
26 related matters.

27 * * *

28 §1676. Debt recovery

29 * * *

1 M. Notwithstanding any law to the contrary, no class action lawsuit may be
 2 brought against the office in any state or federal court by or on behalf of any person
 3 arising from or related to the administration of this Section and all related matters.

4 Section 2. The provisions of Section 1 of this Act shall be given prospective
 5 application only.

6 Section 3. This Act shall become effective upon signature by the governor or, if not
 7 signed by the governor, upon expiration of the time for bills to become law without signature
 8 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 9 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 10 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____