

2026 Regular Session

SENATE BILL NO. 436

BY SENATOR CLOUD

MULTIMODAL COMMERCE. Provides relative to annual aviation fuel estimates. (8/1/26)

1 AN ACT

2 To amend and reenact R.S. 47:306.6, relative to aviation fuel taxes; to provide for annual
3 estimates of aviation fuel taxes; to provide for rules and regulations relative to
4 aviation fuel tax; to provide for reporting of aviation fuel taxes; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 47:306.6 is hereby amended and reenacted to read as follows:

8 §306.6. Annual aviation fuel estimates; calculations; agreements with the
9 Department of Transportation and Development; reporting
10 requirements

11 A.(1) Annual estimates. ~~The secretary of the Department of Revenue shall~~
12 ~~annually estimate the revenue to be derived from state taxes collected from~~
13 ~~purchases of aviation fuel.~~ Monies collected from the avails of the taxes levied on
14 aviation fuel shall be appropriated to the Department of Transportation and
15 Development to be used solely for airport-related purposes; however, no portion of
16 such monies shall be disbursed to any airport that does not clearly indicate on its
17 property the designated ramp space for public use within its published airport

1 directory or diagram.

2 ~~(2)~~B. The calculation of "annual estimated revenue" shall be determined by
3 using all of the following:

4 ~~(a)~~(1) Average price per gallon. The average price per gallon of aviation fuel
5 shall be determined through a ~~two-year agreement between the secretary of the~~
6 ~~Department of Revenue and the secretary of the Department of Transportation and~~
7 ~~Development~~ rules and procedures promulgated by the Department of
8 Transportation and Development, office of multimodal commerce. The average
9 price per gallon shall be based on historical data, current market fuel prices, and
10 trends provided by relevant reports, including reputable sources such as government
11 agencies, industry associations, or market analysis firms.

12 ~~(b)~~(2) Gallons sold data source. The volume of aviation fuel sold in Louisiana
13 shall be determined based on data provided by the Energy Information
14 Administration or the Bureau of Transportation Statistics. In the event data from
15 either of these two organizations is unavailable, the secretary of the Department of
16 Revenue may utilize other reputable data sources, subject to approval by the Joint
17 Legislative Committee on the Budget through rules and procedures promulgated
18 by the Department of Transportation and Development, office of multimodal
19 commerce.

20 ~~(c)~~(3) Sales tax rate. The sales tax rate applied in calculating the annual
21 estimated revenue shall be based on the current state sales tax rate in effect at the
22 time of the estimate. If the state sales tax rate changes during the fiscal year, the
23 annual estimated revenue shall be recalculated using the new sales tax rate.

24 ~~(3)~~ The secretary of the Department of Revenue shall submit the annual
25 estimated revenue to be derived from state taxes collected from purchases of aviation
26 fuel to the Revenue Estimating Conference within five calendar days of the annual
27 estimate being completed by the secretary:

28 C. The Revenue Estimating Conference shall utilize this estimation
29 formula and the rules and policies promulgated by the Department of

1 **Transportation and Development, office of multimodal commerce, to develop**
 2 **its annual estimate of aviation fuel taxes collected.**

3 B. Reporting requirements. The secretary of the Department of Revenue shall
 4 submit an annual report to the Joint Legislative Committee on the Budget no later
 5 than March thirty-first of each year which contains the following information:

6 (1) The average price per gallon used in the calculation.

7 (2) The total gallons of aviation fuel sold in the state used in the calculation,
 8 as reported by the Energy Information Administration or the Bureau of
 9 Transportation Statistics.

10 (3) The sales tax rate applied in the calculation.

11 C. Legislative oversight. All agreements between the secretary of the
 12 Department of Revenue and the secretary of the Department of Transportation and
 13 Development required pursuant to the provisions of this Section related to the
 14 calculation of the annual estimated revenue derived from sales of aviation fuel shall
 15 be reviewed and approved by the Joint Legislative Committee on the Budget prior
 16 to the agreement becoming binding between the parties.

17 D. The provisions of this Section shall be terminated and have no effect on
 18 January 1, 2027.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

DIGEST

SB 436 Engrossed

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Present law provides for the secretary of the Dept. of Revenue to annually estimate the revenue to be derived from state taxes collected from purchases of aviation fuel. Proposed law removes the provision for the secretary of the department to estimate the revenue to be derived from state taxes collected.

Present law provides for the average price per gallon of aviation fuel to be determined by a two-year agreement between the secretary of the Department of Revenue and the secretary of the Department of Transportation and Development. Proposed law replaces the secretary of the Dept. of Revenue with rules and procedures promulgated by the Department of Transportation, office of multimodal commerce.

Present law provides for the volume of aviation fuel sold in Louisiana to be determined based on data provided by the Energy Information Administration or the Bureau of

Transportation Statistics, or for Dept. of Revenue to utilize other reputable data sources, subject to approval by the Joint Legislative Committee on the Budget.

Proposed law removes the provision for the volume of aviation fuel to be determined based on data provided by the Energy Information Administration, the Bureau of Transportation and Statistics or Dept. of Revenue and Joint Legislative Committee on the Budget. Proposed law further provides the volume of aviation fuel to be determined based on rules and procedures promulgated by DOTD, office of multimodal commerce.

Present law requires the secretary of the Dept. of Revenue to submit the annual estimated revenue derived from state taxes collected from purchases of aviation fuel to the Revenue Estimating Conference within five calendar days of the annual estimate being completed by the secretary. Proposed law removes this provision.

Proposed law further provides the Revenue Estimating Conference utilize the estimation formula and the rules and policies promulgated by the DOTD, office of multimodal commerce, to develop its annual estimate of aviation fuel taxes collected.

Present law requires the secretary of the Dept. of Revenue to submit an annual report to the Joint Legislative Committee on the Budget no later than March thirty-first of each year containing the average price per gallon used in the calculation, the total gallons of aviation fuel sold in the state used in the calculation, as reported by the Energy Information Administration or the Bureau of Transportation Statistics and the sales tax rate applied in the calculation. Proposed law removes these provisions.

Present law provides for all agreements between the secretary of the Dept. of Revenue and the secretary of DOTD related to the calculation of the annual estimated revenue derived from sales of aviation fuel to be reviewed and approved by the Joint Legislative Committee on the Budget prior to the agreement becoming binding. Proposed law removes this provision.

Present law provides for the provisions of the present law to be terminated on January 1, 2027. Proposed law removes this provision.

Effective August 1, 2026.

(Amends R.S. 47:306.6)