
DIGEST

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HB 615 Original

2015 Regular Session

Stokes

Abstract: Authorizes a parish governing authority to levy and collect a sales tax on the retail sale of motor fuels, subject to voter approval.

Present constitution prohibits the levy of a severance tax, income tax, inheritance tax or tax on motor fuels by a political subdivision.

Proposed constitutional amendment changes present constitution by authorizing a parish governing authority, subject to voter approval, to levy a sales tax on motor fuels.

Present constitution authorizes parish and municipal governing authorities and school boards to levy and collect a tax upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption, of tangible personal property and on sales of services as defined by law, if approved by a majority of the electors voting thereon in an election held for that purpose. The total of such taxes levied and collected within any parish or municipality is limited to 3%.

Proposed constitutional amendment retains present constitution and adds an exception for a tax levied by a parish governing authority on the sale of motor fuels pursuant to proposed constitutional amendment from the 3% limit on sales taxes in a parish.

Present constitution establishes the Transportation Trust Fund as a special treasury fund and requires that all state taxes levied on gasoline and motor fuels be deposited annually into the fund. The current state excise taxes on gasoline and motor fuels total 20 cents per gallon. Monies in the fund are used to provide for construction and maintenance of roads and bridges of the state and federal highway systems, the Statewide Flood-Control Program, ports, airports, transit, state police for traffic control purposes, and the Parish Transportation Fund. Further, present constitution prohibits the levy of any state or local sales tax on gasoline and motor fuels.

Proposed constitutional amendment changes present constitution by adding an exception to that prohibition for a tax levied by a parish governing authority on the sale of motor fuels pursuant to the proposed constitutional amendment.

Provides for submission of the proposed amendment to the voters at the statewide election to be held October 24, 2015.

(Amends Const. Art. VI, §29(A) and Art. VII, §§4(C) and 27(A); Adds Const. Art. VI, §29.1)