

SENATE BILL NO. 464

BY SENATOR MILLS

AN ACT

To amend and reenact R.S. 47:338.1(D)(1) and to enact R.S. 47:338.1(E), relative to sales tax of political subdivisions; to provide for the use of the tax proceeds of a sales tax district in certain municipalities; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:338.1 (D)(1) is hereby amended and reenacted and R.S. 47:338.1(E) is hereby enacted to read as follows:

§338.1. Tax authorized; rate; sales tax districts; certain municipalities

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D.(1) Notwithstanding any other provision of law to the contrary and in addition to any other authority granted by law, the governing authorities of the municipalities of Breaux Bridge, St. Martinville, ~~and~~ Youngsville, **and the governing authorities of municipalities having a population in excess of thirty thousand five hundred but not more than thirty thousand seven hundred persons, based on the latest federal decennial census** may create sales tax districts consisting of a portion of their respective municipalities. Each sales tax district, as a political subdivision of the state, is authorized to levy and collect an additional one percent sales and use 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 of the district voting thereon in an election held for that purpose. The governing authority of a sales tax district shall be the governing authority of the municipality, the domicile of the sales tax district shall be the regular meeting place of the municipality, and the officers of the sales tax district shall be officers of the municipality.

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**E.(1) Notwithstanding any other provision of law to the contrary and in addition to any other authority granted by law, the governing authority of a**

1        municipality having a population in excess of eight thousand one hundred thirty  
2        but not more than eight thousand one hundred forty-five persons, based on the  
3        latest federal decennial census may use the proceeds of the additional sales tax  
4        levied pursuant to the provisions of Paragraph (D)(1) of this Section under the  
5        terms and provisions of an intergovernmental agreement between the  
6        municipality and the sales tax district as follows:

7                (a) Fifty percent of the proceeds shall be used annually for the  
8                municipality's operating budget as approved by the adoption of an ordinance  
9                of the governing authority of the municipality, by a two-thirds vote.

10               (b) Fifty percent of the proceeds shall be expended on new construction  
11               of infrastructure within the municipality or substantial improvements of  
12               existing infrastructure within the municipality according to a Master Plan for  
13               the Construction of Municipal Infrastructure, which shall list the specific  
14               infrastructure construction or improvement projects to be funded through the  
15               tax proceeds, including funding into bonds for such purposes in the manner  
16               provided by state law, and which shall be adopted by the governing authority  
17               of the municipality in the manner provided for in this Subparagraph.

18               (2) The provisions of this Subsection shall become effective on July 1,  
19               2016, and shall remain effective through June 30, 2019.

20        Section 2. This Act shall become effective upon signature by the governor or, if not  
21        signed by the governor, upon expiration of the time for bills to become law without signature  
22        by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
23        vetoed by the governor and subsequently approved by the legislature, this Act shall become  
24        effective on the day following such approval.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_