

CONFERENCE COMMITTEE REPORT

HB 629

2017 Regular Session

Anders

June 7, 2017

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 629 by Representative Anders, recommend the following concerning the Engrossed bill:

1. That the set of amendments by the Senate Committee on Revenue and Fiscal Affairs (#2491) be adopted.
2. That the set of Senate Floor Amendments by Senator Morrell (#2719) be adopted.
3. That the following amendments be adopted:

AMENDMENT NO. 1

In Senate Committee Amendment No. 1 by the Senate Committee on Revenue and Fiscal Affairs (#2491) on page 1, line 3, after "insert" and before "and the" delete ""47:R.S. 301(10)(x)(i)" and insert ""R.S. 47:301(10)(x)(i)""

AMENDMENT NO. 2

In Senate Floor Amendment No. 1 by Senator Morrell (#2719) on page 1, line 4, after "305.25(A)(6)," and before "and" insert "305.64(A)(2)(b)(iv),"

AMENDMENT NO. 3

In Senate Floor Amendment No. 2 by Senator Morrell (#2719) on page 1, line 8, after "305.25(A)(6)," and before "and" insert "305.64(A)(2)(b)(iv),"

AMENDMENT NO. 4

In Senate Floor Amendment No. 4 by Senator Morrell (#2719) on page 1, between lines 18 and 19, insert the following:

"§305.64. Exemption; qualifying radiation therapy treatment centers

A.

\* \* \*

(2) For purposes of this Section, the following words shall have the following meanings unless the context clearly indicates otherwise:

\* \* \*

(b) "Qualifying radiation therapy center" shall mean all of the following:

\* \* \*

(iv) The Willis-Knighton Health System in Shreveport, Louisiana.

\* \* \*"

Respectfully submitted,

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Representative John F. "Andy" Anders

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Senator Jean-Paul J. Morrell

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Representative Neil C. Abramson

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Senator Gregory Tarver

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Representative Cameron Henry

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Senator Gerald Long

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, 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)]

**CONFERENCE COMMITTEE REPORT DIGEST**

**HB 629**

**2017 Regular Session**

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**Keyword and oneliner of the instrument as it left the House**

TAX/SALES-USE, ST-EXEMPT: Adds certain polyroll tubing to the definition of farm equipment for purposes of the state sales and use tax exemption for certain farm equipment and provides for the sales and use tax exemption for qualified radiation therapy treatment centers and purchases of fuels or gas for residential use.

**Report adopts Senate amendments to:**

1. Add purchases and leases by qualifying radiation therapy treatment centers to the list of applicable exemptions from the sales and use tax.
2. Limit applicability of the state sales and use tax exclusion for purchases of fuels or gas to residential purchases.
3. Change effective date from Oct. 1, 2017, to upon signature of the governor.
4. Make technical changes.

**Report amends Senate amendments to:**

1. Add the Willis-Knighton Health System in Shreveport, La. to the list of qualifying radiation therapy treatment centers for purposes of the sales and use tax exemption for purchases and leases by qualifying radiation therapy treatment centers.

**Digest of the bill as proposed by the Conference Committee**

Present law provides for a state sales and use tax exclusion for all purchases of fuels or gas, including but not limited to butane and propane.

Proposed law retains present law state sales and use tax exclusion for purchases of fuels or gas for residential use only.

Present law imposes state sales and use taxes on the sale, use, lease, or rental of tangible personal property pursuant to the following levies:

- R.S. 47:302 - 2% tax
- R.S. 47:321 - 1% tax
- R.S. 47:321.1 - 1% tax
- R.S. 47:331 - 0.97% tax
- R.S. 51:1286 - .03% tax (LA Tourism and Promotion District)

Present law provides for exemptions and exclusions to state sales and use taxes. Further, present law provides for the applicability and effectiveness of certain exclusions and exemptions from the taxes imposed under R.S. 47:302 and 321.1 for the time between July 1, 2016, and June 30, 2018.

Present law provides for an exemption from state sales and use taxes imposed under R.S. 47:302, 321, and 331, for purchases and leases by qualifying radiation therapy treatment centers. This exemption in present law is not in effect for the state sales and use taxes imposed under R.S. 47:302 and 321.1.

Proposed law changes present law concerning the effectiveness and applicability of the exemption for purchases and leases by qualifying radiation therapy treatment centers by providing that the exclusion is effective and applicable against all state sales and use taxes beginning July 1, 2017.

Proposed law adds the Willis-Knighton Health System in Shreveport, La. to the list of qualifying radiation therapy treatment centers for purposes of the sales and use tax exemption for purchases and leases by qualifying radiation therapy treatment centers.

Present law exempts from the imposition of the state sales and use tax the first \$50,000 of the sales price of farm equipment, defined as:

- (1) Rubber tired farm tractors, cane harvesters, cane loaders, cotton pickers, combines, haybalers, and attachments and sprayers.
- (2) Clippers, cultivators, discs, plows, and spreaders.
- (3) Irrigation wells, drives, motors, and equipment.
- (4) Other farm implements and equipment used for agricultural purposes in the production of food and fiber.
- (5) On the farm facilities used to dry or store grain or any materials used to construct such on the farm facilities.

Proposed law retains present law and adds polyroll tubing for commercial farm irrigation to the definition of farm equipment exempt from state sales and use tax beginning Oct. 1, 2017.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 47:301(10)(x)(i) and 302(AA)(intro para); adds R.S. 47:302(AA)(29), 305.25(A)(6), 305.64(A)(2)(b)(iv), and 321.1(F)(67))