

2018 Regular Session

HOUSE BILL NO. 878

BY REPRESENTATIVE STOKES

TAX/AD VALOREM TAX: Provides for the assessment for certain commercial marine vessels and other commercial water craft that operate solely on inland waterways

1 AN ACT

2 To enact R.S. 47:1952(H), relative to ad valorem tax assessments; to provide with respect
3 to the assessment of certain commercial marine vessels and other commercial water
4 craft; to provide an effective date; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 47:1952(H) is hereby enacted to read as follows:

7 §1952. Place and time of listing and assessment; assessments for commercial
8 marine vessels and watercraft

9 * * *

10 H. Notwithstanding the provisions of Subsection A of this Section, or any
11 other law or rule to the contrary, a commercial marine vessel or other commercial
12 water craft, hereinafter referred to as "water craft", that operates exclusively within
13 inland waters as established by the Office of Coast and Geodetic Survey shall be
14 assessed as follows:

15 (1) Water craft that is reported for purposes of ad valorem taxation in
16 multiple states and is associated with public service property pursuant to R.S.
17 47:1851(B), (I), and (M) shall be assessed by the Louisiana Tax Commission as
18 provided in R.S. 47:1855(D), and the assessment shall be allocated as provided in
19 R.S. 47:1855(G)(1) and (H).

20 (2) Water craft that is held by a Louisiana company, not reported for
21 purposes of ad valorem tax in any other state, and reported as personal property in

1 one location in Louisiana, shall be assessed by the assessor for the parish in which
2 the owner or holder of the water craft is domiciled.

3 (3) In the event that water craft is not eligible to be assessed as provided for
4 under Paragraphs (1) or (2) of this Subsection, water craft shall be assessed by the
5 assessor for the parish in which the water craft is physically located at one minute
6 after midnight on January first of the tax year.

7 Section 2. This Act shall become effective on January 1, 2019; if vetoed by the
8 governor and subsequently approved by the legislature, this Act shall become effective on
9 January 1, 2019, or on the day following such approval by the legislature, whichever is later.

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)]

HB 878 Engrossed

2018 Regular Session

Stokes

Abstract: Establishes the location of and authority for assessment of commercial marine vessels and other commercial water craft that operate solely in inland waterways.

Present law requires that the assessor of each parish assess all property within that jurisdiction for purposes of ad valorem taxation.

Present law requires that the La. Tax Commission assess all public service properties.

Proposed law retains present law.

Proposed law establishes specific provisions governing the assessment of commercial marine vessels and other commercial water craft (water craft) that operate solely in inland waterways.

Proposed law requires that water craft that is reported for purposes of ad valorem taxation in multiple states and is associated with public service property be assessed by the La. Tax Commission.

Proposed law requires that water craft that is held by a La. company, not reported for purposes of ad valorem tax in any other state, and reported as personal property in one location in La., be assessed by the assessor for the parish in which the owner or holder of the water craft is domiciled.

Proposed law requires that if a water craft is ineligible to be assessed as otherwise provided for in proposed law it shall be assessed by the assessor for the parish in which the water craft is physically located at one minute after midnight on Jan. 1st of the tax year.

Effective Jan. 1, 2019.

(Adds R.S. 47:1952(H))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Ways and Means to the original bill:

1. Specify that only if a water craft is ineligible to be assessed as a public service property or as the personal property at the owner or holder's domicile, may it be assessed by the assessor for the parish in which it is physically located on Jan. 1st of the tax year.