The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Martha S. Hess.

DIGEST

SB 226 Original

2019 Regular Session

Barrow

<u>Present law</u> authorizes the governing authority of East Baton Rouge Parish to create, by ordinance, one or more capital improvement districts within the parish.

<u>Proposed law</u> changes <u>present law</u> to provide that any parish with a population of more than 440,000 persons as established by the most recent federal decennial census is authorized to create, by ordinance, one or more capital improvement districts within the parish.

<u>Present law</u> authorizes the governing authority of East Baton Rouge Parish, as the governing authority of the district, in order to fund projects of capital improvement within any district, to levy a sales and use tax, in addition to all other taxes currently levied in East Baton Rouge Parish. <u>Present law</u> does not contain an exemption for food and prescription drugs.

<u>Proposed law</u> authorizes the governing authority of the parish, as the governing authority of the district, in order to fund projects of capital improvement within any district, to levy a sales and use tax, in addition to all other taxes currently levied in the parish. <u>Proposed law</u> contains an exemption from the tax for the sale at retail, the use, the consumption, the distribution, and the storage for use or consumption, in the parish of food and prescription drugs in accordance with the requirements of R.S. 47:305.

<u>Present law</u> provides that the tax shall be in addition to all other taxes currently levied in East Baton Rouge Parish, and the procedure established by R.S. 47:301 through 317 shall be followed in the imposition, collection, and enforcement of the tax.

<u>Proposed law</u> provides that the tax shall be in addition to all other taxes currently levied in the parish, and the procedure established by R.S. 47:301 through 317 shall be followed in the imposition, collection, and enforcement of the tax.

<u>Present law</u> authorizes the governing authority of East Baton Rouge Parish to levy ad valorem taxes on property located within the district, to be used exclusively for capital improvements within the district.

<u>Proposed law</u> authorizes the governing authority of the parish to levy ad valorem taxes on property located within the district, to be used exclusively for capital improvements within the district.

<u>Present law</u> and <u>proposed law</u> require the approval of a majority of the electors voting in the election who reside in the district prior to the imposition of the sales tax or the ad valorem tax.

Present law and proposed law provide for public hearings prior to the elections.

<u>Present law</u> and <u>proposed law</u> authorize the election proposition to include the funding of the additional sales tax or the ad valorem tax into bonds.

<u>Proposed law</u> provides that the provisions of <u>proposed law</u> relative to the sales and use tax exemptions for food and prescription drugs are intended to clarify that such exemptions were always intended and believed to be exempt from taxation and therefore these provisions shall be applied retroactively to April 1, 2019, as well as prospectively.

Effective April 1, 2019.

(Amends R.S. 33:2740.9)