

HOUSE COMMITTEE AMENDMENTS

2025 Regular Session

Amendments proposed by House Committee on Appropriations to Engrossed House Bill No. 578 by Representative Emerson

1 AMENDMENT NO. 1

2 On page 1, delete line 5 in its entirety and insert the following:

3 "321.1(A), (B), and (C), and 331(A) and (B) and R.S. 51:1286(A), to enact R.S. 39:100.118
4 and R.S."

5 AMENDMENT NO. 2

6 On page 1, delete line 7 in its entirety and insert the following:

7 "R.S. 47:301.6(B) and (C) and 321.1(E), relative to sales and use tax; to reduce the
8 state sales and use tax rate under certain circumstances; to provide with"

9 AMENDMENT NO. 3

10 On page 2, line 1, after "circumstances;" and before "to provide for applicability," insert the
11 following:

12 "to provide for the establishment of the Local Revenue Fund; to provide for the
13 transfer, deposit, and use, of monies in the fund;"

14 AMENDMENT NO. 4

15 On page 2, between lines 3 and 4, insert the following:

16 "Section 1. R.S. 39:100.118 is hereby enacted to read as follows:

17 §100.118. Local Revenue Fund

18 A. There shall be established in the state treasury, as a special fund, the
19 Local Revenue Fund, hereinafter referred to in this Section as the "fund". After
20 allocation of money to the Bond Security and Redemption Fund as provided for in
21 Article VII of the Constitution of Louisiana, the treasurer shall deposit in and credit
22 to the Local Revenue Fund the avails of the taxes imposed by R.S. 47:301.1(F) and
23 any other revenue dedicated to the fund by the legislature. The legislature may
24 appropriate additional sums to the fund.

25 B. The monies in the fund shall be used solely for distribution to ad valorem
26 tax recipient bodies within a parish to offset losses attributable to business inventory
27 exemptions to the ad valorem tax granted by a parish.

28 C. Monies in the fund shall be invested in the same manner as monies in the
29 state general fund. Interest earned on the investment of monies in the fund shall be
30 deposited in and credited to the fund."

31 AMENDMENT NO. 5

32 On page 2, at the beginning of line 4, delete "Section 1." and insert "Section 2."

AMENDMENT NO. 6

On page 2, at the beginning of line 7, delete "(C)(2)," and insert "(C),"

AMENDMENT NO. 7

On page 21, between lines 21 and 22, insert the following:

"Section 3. R. S. 47:321.1(A), (B), and (C) are hereby amended and reenacted to read as follows:

§321.1. Imposition of tax

A. In addition to the tax levied by R.S. 47:302(A), 321(A), and 331(A) and collected under the provisions of Chapter 2 of this Subtitle, there is hereby levied an additional tax upon the sale at retail, the use, the consumption, the distribution, and the storage for use or consumption in this state of each item or article of tangible personal property or digital product as defined in Chapter 2 of this Subtitle. The levy of said tax shall be as follows:

~~(1)(a) Except as provided for in Subparagraph (b) of this Paragraph, at~~ At the rate of ~~forty-five~~ seventy-five hundredths of one percent of the sales price of each item or article of tangible personal property or digital product when sold at retail in this state, the tax to be computed on gross sales for the purpose of remitting the amount of tax to the state, and to include each and every retail sale.

~~(b) Beginning January 1, 2025, through December 31, 2029, in addition to the tax levied in Subparagraph (a) of this Paragraph, there is hereby levied an additional tax of fifty-five hundredths of one percent of the sales price of each item or article of tangible personal property or digital product when sold at retail in this state, the tax to be computed on gross sales for the purpose of remitting the amount of tax to the state, and to include each and every retail sale.~~

~~(c) Beginning January 1, 2030, there is hereby levied a tax of seventy-five hundredths of one percent of the sales price of each item or article of tangible personal property or digital product when sold at retail in this state, the tax to be computed on gross sales for the purpose of remitting the amount of tax to the state, and to include each and every retail sale.~~

~~(2)(a) Except as provided for in Subparagraph (b) of this Paragraph, at~~ At the rate of ~~forty-five~~ seventy-five hundredths of one percent of the cost price of each item or article of tangible personal property or digital product when the same is not sold but is used, consumed, distributed, or stored for use or consumption in this state, provided that there shall be no duplication of the tax.

~~(b) Beginning January 1, 2025, through December 31, 2029, in addition to the tax levied in Subparagraph (a) of this Paragraph, there is hereby levied an additional tax of fifty-five hundredths of one percent of the cost price of each item or article of tangible personal property or digital product when the same is not sold but is used, consumed, distributed, or stored for use or consumption in this state, provided that there shall be no duplication of the tax.~~

~~(c) Beginning January 1, 2030, there is hereby levied a tax of seventy-five hundredths of one percent of the cost price of each item or article of tangible personal property or digital product when the same is not sold but is used, consumed, distributed, or stored for use or consumption in this state, provided that there shall be no duplication of the tax.~~

1 B. In addition to the tax levied by R.S. 47:302(B), 321(B), and 331(B) and
2 collected under the provisions of Chapter 2 of this Subtitle, there is hereby levied a
3 tax upon the lease or rental within this state of each item or article of tangible
4 personal property or digital product, as defined by Chapter 2 of this Subtitle; the levy
5 of the tax to be as follows:

6 (1)(a) ~~Except as provided for in Subparagraph (b) of this Paragraph, at~~ At the
7 rate of ~~forty-five~~ seventy-five hundredths of one percent of the gross proceeds
8 derived from the lease or rental of tangible personal property or digital product, as
9 defined in Chapter 2 of this Subtitle, where the lease or rental of such property is in
10 an established business, or part of an established business, or the same is incidental
11 or germane to the business.

12 (b) ~~Beginning January 1, 2025, through December 31, 2029, in addition to~~
13 ~~the tax levied in Subparagraph (a) of this Paragraph, there is hereby levied an~~
14 ~~additional tax of fifty-five hundredths of one percent of the gross proceeds derived~~
15 ~~from the lease or rental of tangible personal property or digital product, as defined~~
16 ~~in Chapter 2 of this Subtitle, where the lease or rental of such property is in an~~
17 ~~established business, or part of an established business, or the same is incidental or~~
18 ~~germane to the business.~~

19 (c) ~~Beginning January 1, 2030, there is hereby levied a tax of seventy-five~~
20 ~~hundredths of one percent of the gross proceeds derived from the lease or rental of~~
21 ~~tangible personal property or digital product, as defined in Chapter 2 of this Subtitle,~~
22 ~~where the lease or rental of such property is in an established business, or part of an~~
23 ~~established business, or the same is incidental or germane to the business.~~

24 (2)(a) ~~Except as provided for in Subparagraph (b) of this Paragraph, at~~ At the
25 rate of ~~forty-five~~ seventy-five hundredths of one percent of the monthly lease or
26 rental price paid by a lessee or rentee, or contracted or agreed to be paid by a lessee
27 or rentee to the owner of the tangible personal property or digital product.

28 (b) ~~Beginning January 1, 2025, through December 31, 2029, in addition to~~
29 ~~the tax levied in Subparagraph (a) of this Paragraph, there is hereby levied an~~
30 ~~additional tax of fifty-five hundredths of one percent of the monthly lease or rental~~
31 ~~price paid by a lessee or rentee, or contracted or agreed to be paid by a lessee or~~
32 ~~rentee to the owner of the tangible personal property or digital product.~~

33 (c) ~~Beginning January 1, 2030, there is hereby levied a tax of seventy-five~~
34 ~~hundredths of one percent of the monthly lease or rental price paid by a lessee or~~
35 ~~rentee, or contracted or agreed to be paid by a lessee or rentee to the owner of the~~
36 ~~tangible personal property or digital product.~~

37 C.(1) ~~Except as provided for in Paragraph (2) of this Subsection, in~~ In
38 addition to the tax levied on sales of services by R.S. 47:302(C), 321(C), and 331(C)
39 and collected under the provisions of Chapter 2 of this Subtitle, there is hereby levied
40 a tax upon all sales of services in this state, as those services are defined by Chapter
41 2 of this Subtitle, at the rate of ~~forty-five~~ seventy-five hundredths of one percent of
42 the amounts paid or charged for the services.

43 (2) ~~Beginning January 1, 2025, through December 31, 2029, in addition to~~
44 ~~the tax levied in Paragraph (1) of this Subsection, there is hereby levied an additional~~
45 ~~tax of fifty-five hundredths of one percent of the amounts paid or charged for all~~
46 ~~sales of services in this state, as those services are defined by Chapter 2 of this~~
47 ~~Subtitle.~~

48 (3) ~~Beginning January 1, 2030, there is hereby levied a tax of seventy-five~~
49 ~~hundredths of one percent upon all sales of services in this state, as those services are~~
50 ~~defined by Chapter 2 of this Subtitle.~~

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AMENDMENT NO. 8

On page 21, at the beginning of line 22, delete "Section 2." and insert "Section 4."

AMENDMENT NO. 9

On page 22, delete line 1 in its entirety and insert the following:

"Section 5. R.S. 47:301.6(B) and (C) are hereby repealed in their"

AMENDMENT NO. 10

On page 22, between lines 2 and 3, insert the following:

"Section 6. R.S. 47:321.1(E) is hereby repealed in its entirety."

AMENDMENT NO. 11

On page 22, at the beginning of line 3, delete "Section 4." and insert "Section 7."

AMENDMENT NO. 12

On page 22, at the beginning of line 11, delete "Section 5." and insert "Section 8.(A)"

AMENDMENT NO. 13

On page 22, between lines 20 and 21, insert the following:

"(B) During the 2024 Third Extraordinary Session of the Legislature, Act No. 11 amended R.S. 47:301(14)(a) relative to the definition of "sales of services" and the furnishing of sleeping rooms, cottages or cabins by hotels and moved those provisions to R.S. 47:301.3(1). R.S. 47:302.2 through 302.56, 322.1 through 322.49, and 332.1 through 332.55 all reference the avails of the state sales and use taxes imposed from the sales of services as defined in R.S. 47:301(14)(a). The Louisiana State Law Institute is hereby directed to change references from R.S. 47:301(14)(a) in R.S. 47:302.2 through 302.56, 322.1 through 322.49, and 332.1 through 332.55 to R.S. 47:301.3(1)."

AMENDMENT NO. 14

On page 22, at the beginning of line 21, delete "Section 6. The provisions of" and insert "Section 9. The provisions of Sections 1, 2, 4, 5, and 7"

AMENDMENT NO. 15

On page 22, between lines 22 and 23, insert the following:

"Section 10. Sections 3 and 6 of this Act shall take effect and become operative if and when the proposed amendment of Article VII of the Constitution of Louisiana contained in the Act which originated as House Bill No. 472 of this 2025 Regular Session of the Legislature is adopted at a statewide election and becomes effective."

AMENDMENT NO. 16

On page 22, at the beginning of line 23, delete "Section 7. This" and insert "Section 11. This Section and Sections 1, 2, 4, 5, and 7 through 9 of this"