Regular Session, 2011

HOUSE BILL NO. 606

BY REPRESENTATIVE ROBIDEAUX

TAX/SALES & USE: Adds facilities supporting medical physicists residency programs to facilities eligible for the sales and use tax exemption for certain qualifying radiation therapy treatment centers

AN ACT

To enact R.S. 47:305.64(A)(2)(b)(iii), relative to sales and use taxes; to authorize certain qualifying radiation therapy treatment centers to qualify for the sales and use tax exemption; to provide relative to certain definitions; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:305.64(A)(2)(b)(iii) is hereby enacted to read as follows:

§305.64. Exemption; qualifying radiation therapy treatment centers

A.

* * *

(2)

* * *

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

* * *

(iii) A radiation therapy facility which, no later than August 1, 2011, employs six or more medical physicists to provide radiation therapy treatment services.

* * *

Section 2. This Act shall become effective on August 1, 2011; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on August 1, 2011, or on the day following such approval by the legislature, whichever is later.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

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)]

Robideaux HB No. 606

Abstract: For purposes of the sales and use tax exemption for qualified radiation therapy centers, adds certain facilities that employ six or more medical physicists.

Present law authorizes the levy of a state 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.

Present law provides for a state sales and use tax exemption for the purchase, lease, or repair of capital equipment and the purchase, lease, or repair of software used to operate capital equipment by qualifying radiation therapy treatment centers. Further authorizes political subdivisions to elect to grant this exemption.

Present law provides that a "qualifying radiation therapy center" shall mean a radiation therapy center which is also a nonprofit organization which maintains a joint accreditation with a state university for a graduate medical physics program and which provides facilities and personnel for use for a joint accredited graduate medical physics program for research, teaching, and clinical training for graduate students. Further provides that a "qualifying radiation therapy center" shall mean the Biomedical Research Foundation in Shreveport, La.

Proposed law retains present law and adds as a "qualifying radiation therapy center", a radiation therapy facility which, no later than Aug. 1, 2011, employs six or more medical physicists to provide radiation therapy treatment services.

Effective August 1, 2011.

(Adds R.S. 47:305.64(A)(2)(b)(iii))

Summary of Amendments Adopted by House

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

1. Deleted requirement that the "qualifying radiation therapy center" have a signed memorandum of understanding or other valid signed contractual arrangement with a medical physics residency program based in La. to provide facilities, equipment, training personnel, and salaries necessary for a medical physics resident enrolled in the residency program.

2. Added an effective date of Aug. 1, 2011.

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