HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 508 by Representative Landry

TAX/SALES-USE, STATE: Authorizes a state sales and use tax exemption for the purchase and installation of certain adaptive devices for persons with orthopedic disabilities

Synopsis of Senate Amendments

1. Specifies that the exemption shall only apply to vehicles purchased by an individual for personal use.

2. Specifies that the exemption shall not include vehicles used for commercial or business purposes, including ambulances.

3. Requires that a medical prescription and other documentation be furnished by a person seeking a rebate. The Dept. of Health and Hospitals shall review this information on behalf of the Dept. of Revenue.

4. Adds two sunset dates, June 30, 2013, and Jan. 1, 2020.

Digest of Bill as Finally Passed by Senate

Proposed law provides an exemption from state sales and use tax for the purchase by an individual of a motor vehicle that has been or will be modified in accordance with a medical prescription for use by a person who is permanently, orthopedically disabled at the time of purchase.

Proposed law excludes from the exemption vehicles used for commercial purposes, including ambulances, travel trailers or other vehicles not designed to transport people.

Proposed law defines "orthopedically disabled" as a person who has permanent, limited movement of body extremities and loss of physical functions which prevent the person from either operating or being transported in a motor vehicle that has not been specially modified.

Proposed law provides a list of vehicle modifications relevant to the exemption, including wheelchair lifts, hoists, attached ramps, wheelchair hold-down clamps, special seat restraints, and the alteration of conventional brake, acceleration, or steering systems.

Proposed law requires that the modifications be completed before a purchaser may claim a rebate. The claiming of a rebate shall be made pursuant to a procedure established by rule of the Dept. of Revenue. A purchaser seeking a rebate shall provide specific information in conjunction with their application for a rebate, which shall include: a copy of the prescription and a letter from a physician, chiropractor, or driver rehabilitation specialist describing the orthopedic disability which requires the vehicle modifications. Proposed law authorizes the secretary of the Dept. of Revenue to pay rebates from general collections.

Proposed law requires the Dept. of Health and Hospitals to assist the Dept. of Revenue in the review of documents submitted with a rebate application.

Proposed law is applicable to purchases made beginning Jan. 1, 2010 through June 30, 2013.

Effective Oct. 1, 2011.

(Adds R.S. 47:305.66)