
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)]

Lambert

HB No. 1120

Abstract: Clarifies procedures for a local tax collector's acceptance of a resale certificate for the sale of services.

Present law provides that solely for purposes of the imposition of the sales and use tax levied by a political subdivision or school board, "retail sale" or "sale at retail" shall mean a sale to a consumer or to any other person for any purpose other than for resale in the form of tangible personal property.

Present law provides that the following services shall be subject to sales tax: the furnishing of sleeping rooms, cottages, or cabins by hotels; the sale of admissions to places of amusement, athletic entertainment other than that of schools, colleges and universities, and recreational events, and the furnishing, for dues, fees, or other consideration of the privilege of access to clubs or the privilege of having access to or the use of amusement, entertainment, athletic, or recreational facilities; the furnishing of storage or parking privileges by auto hotels and parking lots; the furnishing of printing or similar services of reproducing written or graphic matter; the furnishing of laundry and cleaning services and storage space for clothing, furs and rugs; and the furnishing of cold storage space; the furnishing of repairs to tangible personal property.

Proposed law requires, for purposes of determining whether a sale is a sale for resale, that a local collector accept a resale certificate issued by the Dept. of Revenue, provided the taxpayer includes the parish of its principal place of business and local sales tax account number on such certificate. Proposed law further provides that in the case of an intra-parish transaction from dealer to dealer, the collector may require that the local exemption certificate be used in lieu of the state certificate.

(Amends R.S. 47:301(10)(a)(ii))

Summary of Amendments Adopted by House

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

1. Deleted the provision of proposed law which would have changed the required level of compliance with rules and regulations necessary to determine whether or not a sale was a sale for resale.
2. Added discretion for a tax collector to require a taxpayer to provide a local tax exemption certificate in the case of an intra-parish transaction from dealer to dealer.