

Regular Session, 2000

HOUSE BILL NO. 195

BY REPRESENTATIVE HAMMETT

TAX/SALES & USE: Requires retailers who withdraw property from inventory to pay a use tax

1 AN ACT

2 To amend and reenact R.S. 47:301(A)(19)(a) and (b), relative to the sales and
3 use tax; to provide relative to the definition of use tax for the payment
4 of use tax by retailers who withdraw tangible personal property that has
5 not been taxed from their inventory for their own use; to provide for an
6 effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 47:301(A)(19)(a) and (b) are hereby amended and
9 reenacted to read as follows:

10 §301. Definitions

11 As used in this Chapter the following words, terms, and phrases
12 have the meaning ascribed to them in this Section, unless the context
13 clearly indicates a different meaning:

14 * * *

15 (19) "Use tax" includes the use, the consumption, the
16 distribution, and the storage as herein defined. No use tax shall be due
17 to or collected by:

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

Hammett

HB No. 195

Abstract: Relative to the sales and use tax, requires retailers who withdraw property from inventory to pay a use tax.

Present law provides that purchases of property by retailers for resale are not subject to the sales and use tax.

Proposed law requires retailers who withdraw property from inventory for the retailer's use to pay a use tax.

Proposed law provides that the act is intended to overrule decisions of the Board of Tax Appeals and is deemed to be remedial and applied retroactively.

(Amends R.S. 47:301(A)(19)(a) and (b))