

SENATE BILL NO. 7

BY SENATORS CHAISSON, N. GAUTREAUX, MICHOT, SCALISE, THOMPSON
AND WALSWORTH

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AN ACT

To amend and reenact R.S. 47:301(10)(x) and R.S. 47:301(3)(i)(ii)(bb) and to enact R.S. 47:321(K), relative to the sales and use tax; to provide for an exclusion for all purchases of butane and propane; to provide for the effectiveness and applicability of the exemptions for electric power or energy, natural gas, water, and steam; to provide for a definition of the term "manufacturer" for purposes of eligibility for the state sales and use tax exclusions from the terms "cost price" and "sales price" for purchases of machinery and equipment used in manufacturing; to provide that the term "manufacturer" shall include persons who have North American Industrial Classification System codes within the information Sector 511110, as they existed in 2002, assigned either by the Louisiana Department of Labor, if the persons are required to register with the Louisiana Department of Labor for purposes of unemployment insurance, or by the Louisiana Department of Revenue, as determined from federal income tax data, if the persons are not required to register with the Department of Labor for purposes of unemployment insurance; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

1 Section 1. R.S. 47:301(10)(x) and R.S. 47:301(3)(i)(ii)(bb) are hereby amended and
2 reenacted, and R.S. 47:321(K) is hereby enacted to read as follows:

3 §301. Definitions

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

7 * * *

8 (3)

9 * * *

10 (i)

11 * * *

12 (ii)

13 * * *

14 (bb) "Manufacturer" means:

15 (I) A person whose principal activity is manufacturing, as defined in this
16 Subparagraph, and who is assigned by the Louisiana Department of Labor a North
17 American Industrial Classification System code within the agricultural, forestry,
18 fishing, and hunting Sector 11, the manufacturing Sectors 31-33, **the information**
19 **Sector 511110** as they existed in 2002, or industry code 423930 as a recyclable
20 material merchant wholesaler engaged in manufacturing activities, which must
21 include shredding facilities, as determined by the secretary of the Department of
22 Revenue.

23 (II) A person whose principal activity is manufacturing and who is not
24 required to register with the Louisiana Department of Labor for purposes of
25 unemployment insurance, but who would be assigned a North American Industrial
26 Classification System code within the agricultural, forestry, fishing, and hunting
27 Sector 11, ~~or~~ the manufacturing Sectors 31-33, **the information Sector 511110** as
28 they existed in 2002, as determined by the Louisiana Department of Revenue from
29 federal income tax data, if he were required to register with the Louisiana
30 Department of Labor for purposes of unemployment insurance.

1 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
2 vetoed by the governor and subsequently approved by the legislature, this Act shall become
3 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____