

CALCASIEU TAX REVIEW

Vol. 30, Issue 1

TAX RATE INCREASE EFFECTIVE JANUARY 1, 2018

The Calcasieu Parish Sales & Use Tax Office wishes to inform all dealers of the tax rate increase that took effect January 1, 2018. This rate increase is for the **MorganField Economic Development District** that is located within the municipal limits of the City of Lake Charles. This is **NOT** for the entire City of Lake Charles. Currently, there are no businesses or residences that are located in this district. Please visit our website for a map of the boundaries.

The sales tax rate increase of 1% will appear on Column L (MorganField Economic Development District) of the parish sales tax return. This increase will bring the overall rate for sales and use tax in Column L (MorganField Economic Development District) to 6.75%. The new rate also reflects an increase of 1% hotel/motel tax on Column E (MorganField Economic Development District) of the parish hotel/motel return. This increase will bring the overall rate for hotel/motel tax in Column E (MorganField Economic Development District) to 5%.

Dealers are advised that their point of sale equipment (registers) will need to be modified to reflect the new rate which will allow them to collect the proper tax amount beginning on and after January 1, 2018. Their accounting systems will also require upgrading to account for the tax increase for billing as well as reporting purposes.

REAL PROPERTY CONTRACTORS TAKE NOTE:

Construction contracts entered into prior to the effective date of the increase and reduced to writing within 90 days of the rate increase will not be subject to the new rate since their bids were submitted based upon the prior rate. Contractors should apply for an exemption certificate in order to provide their suppliers with these exemption certificates to be subject to the lower tax rate. This special provision applies to lump sum, unit price, fixed fee, or guaranteed maximum price construction contracts.

Vendors and dealers who have transactions that remain subject to the old rate will be required to submit a supplemental return reflecting those sales that are subject to the old rate in order not to have the higher rate computed. The supplemental returns cannot be submitted online. They will need to be mailed to our office for processing. Typically, contractors and building materials and related suppliers are affected by these reporting requirements. They should ensure that a properly completed exemption certificate has been obtained from the Calcasieu Parish Sales Tax Department in order to document the exemption.

Visit us on the web: www.calcasieusalestax.org

New Taxpayer Resource:



HOW TO CONTACT US

Our main number is (337) 217-4280 and fax number is (337) 217-4281. Extension for general customer assistance is 3413; for administration, dial extension 3423; for delinquent returns, dial 3406; and for audit information, dial 3422.

ONLINE FILING "100% FREE"

Don't forget our free online service for filing your sales tax reports. It is fast and convenient. Go to www.salestaxonline.com or <http://parishe-file.revenue.louisiana.gov> to get started.

The **Tax Research Information And Litigation Summary (TRIALS)** system was developed as a research tool for local sales and use tax in the state of Louisiana. **TRIALS is intended to be used for information purposes only, and is not to be considered a legal opinion or legal advice.** You may take advantage of this resource at <http://trials.laota.com/>.

**Correction from July 2017
Calcasieu Tax Review**

As of August 1, 2017, tax lien charges were increased from \$76.00 to **\$160.00**, not \$165.00.

**Sales Tax 101
Free Help to Dealers**

Are you a new business owner and overwhelmed by the number of forms and information you need to produce? Maybe you've been in business for some time but are unsure of exactly what forms you need to complete. Our office has the answer--Sales Tax 101 is a short session offered to dealers to help answer sales tax questions and make filing returns easier. You can download the Sales Tax 101 presentation from our website or call our office for more information or to schedule an appointment for individual assistance.

Local Office Holidays

Our offices will be closed on the following dates for the holidays mentioned:

MLK Day.....Jan. 15, 2018
Mardi Gras.....Feb. 12-14, 2018
Easter.....Mar. 30 – April 6, 2018
Independence Day.....July 4, 2018

Our regular office hours are 8:00 am to 4:30 pm. Our office is open during the lunch hour.

**Due Dates for Sales and
Use Tax Returns**

Return:	Due By:
Dec. 2017.....	Jan. 22, 2018
Jan. 2018.....	Feb. 20, 2018
Feb. 2018.....	Mar. 20, 2018
Mar. 2018.....	Apr. 20, 2018
Apr. 2018.....	May 21, 2018
May 2018.....	Jun. 20, 2018
Jun. 2018.....	July 20, 2018

**ONLY TWO REASONS FOR
MAKING A PURCHASE**

1. **Buying the item for resale** (sale of the item to another person or business who will charge sales tax on the retail sale of the item), or
2. **Buying the item for use or consumption in your business** (paying the sales tax when you buy the item or if not charged sales tax, accruing the use tax and remitting the use tax to the taxing jurisdiction on the sales and use tax return).

**SPECIAL EVENTS, CRAFT SHOWS, TRADE
SHOWS AND OTHER EVENTS**

Collecting sales tax at special events ensures fair treatment to all customers and vendors, and helps both the state and local economies. The vendor collects sales tax from the consumer and remits it to the appropriate taxing authority. The money collected funds schools, roads, and police and fire protection. All persons and entities making retail sales are to collect and remit local sales tax.

Special events include fairs, craft shows, trade shows, flea markets, art shows, farm markets, concerts, festivals, carnivals, swap meets, and fund raising events. They may also include conventions, picnics, and other gatherings where retail sales are made.

What is an event? – An event is an occurrence, occasion, activity, or function at which merchandise is sold or traded or taxable services are provided.

Who is a vendor? – A vendor is defined as a person or entity selling merchandise, providing a taxable service, or attending to an informational booth. A vendor may also be referred to as a seller, exhibitor, or booth owner.

Why must I collect and remit local sales taxes? – It is the law. Provided every one complies, local sales tax ensures fair opportunity for all vendors.

Are admissions taxable? – Admissions to any place providing amusement, entertainment, or recreational services require local sales tax to be collected.

Is there local sales tax on food? – Local sales tax is required to be charged on all prepared food sales.

What if I didn't collect local sales tax? – Local sales tax is collected on all sales. Local sales tax may be added to the price of an item or included in the price of an item. If local sales tax is included in the price of an item, the vendor must post, in a conspicuous location, a sign stating that "*All prices include local sales tax.*" You will be responsible for the local sales tax whether you intentionally collected it or not.

POSTMARKS, DELIVERY DATES FOR TIMELY FILED RETURNS

The Louisiana Administrative Code Title 72, Section 305 outlines how the different postmarks and delivery dates are used to determine if a return, report or other document is filed timely with the local collector.

United States Postal Service (USPS) - A return, report or other document in a properly addressed envelope with sufficient postage delivered by USPS is deemed filed on the date postmarked by the USPS. The postmark must bear a date on or before the last date prescribed for filing the return, report or other document in order to be considered timely filed. If the postmark on the envelope is not legible, the taxpayer has the burden of proving the date that the postmark was made. If the return, report or other document is sent by US registered or certified mail, the date of registration is treated as the date of the postmark. A postage meter date is considered a valid postmark date provided it does not conflict with a legible USPS postmark date. If the dates conflict, the USPS date will override the meter date.

Delivery by Courier – A return, report or other document delivered by a courier is deemed filed on the date it is delivered to the local collector's office.

Delivery by the Taxpayer – A return, report or other document delivered by the taxpayer or a representative of the taxpayer is deemed filed on the date it is delivered to the local collector's office.

Electronically Filed Report and Remittance – The return and remittance are deemed to be filed when both the return and remittance are transmitted and available to be received by the local collector or the local collector's designated agent for electronic filing.

Timely Filing When the Twentieth Calendar Day Falls on Saturday, Sunday, or Legal Holiday - Unless otherwise specifically provided, when the twentieth calendar day following the due date for any report or return prescribed under the laws administered by the local collector, falls on a Saturday, Sunday, or a legal holiday, the report or return shall be considered timely if it is filed on the next business day.