



Louisiana Uniform Local Sales Tax Board

Minutes of the Regular Meeting
Thursday, December 19, 2024 ~ 1:30 PM
LAMPERS Building, First Floor Executive Conference Room
7722 Office Park Blvd. Baton Rouge, LA 70809

This meeting will be available via Zoom. Members of the public are encouraged to provide comments on the Zoom chat function. See link below:

<https://us06web.zoom.us/j/82645273670?pwd=cvL4RU18HYCz17FPiyEMul49AP9rnw.1>

Meeting ID: 826 4527 3670 Passcode: 000032

MEMBERS & PROXIES PRESENT (P) / ABSENT (A):

Members:

Dr. Janet Pope, LA School Board Executive Director	<u>A</u>
Mike Ranatza, LA Sheriff's Association Executive Director	<u>A</u>
Barney Arceneaux, LA Municipal Association Executive Director	<u>A</u>
Guy Cormier, Police Jury Association of Louisiana Executive Director	<u>A</u>
Amanda Granier, LA School Board Association Appointee – Vice Chairman	<u>P</u>
Shawn McManus, LA Sheriff's Association Appointee	<u>A</u>
Kressy Krennerich, LA Municipal Association Appointee - Chairman	<u>P</u>
Jeffery LaGrange, Police Jury Association of Louisiana Appointee	<u>A</u>

Proxies:

Neshelle S. Nogess, LA School Board Association, Secretary	<u>A</u>
Jessica Knight, LA Sheriff's Association	<u>P</u>
Hanna Gettys, LA Municipal Association	<u>P</u>
David Hall, Police Jury Association of Louisiana	<u>P</u>

STAFF PRESENT:

Clarence Lymon, CPA, Executive Director	<u>P</u>
Dewanna Trask, Sales Tax Analyst	<u>P</u>

OTHERS PRESENT:

Andrew Kolb, LULSTB Executive Counsel
Renee Roberie, Remote Sellers Commission (RSC) Executive Director
Jeanine Theriot, RSC Audit and Compliance Manager
Administrators participating via the Zoom Web Conferencing platform.

Each member of the Board received the following documents prior to the meeting:

1. Proposed Meeting Agenda for December 19, 2024
2. Minutes from the October 10, 2024, Board Meeting
3. Attestation Resolution and Louisiana Compliance Questionnaire FY 2023-2024
4. Proposed Amendment to the FY 2024-2025 Budget
5. FY 2024-2025 Fiscal Year Budget Comparison Page 2 of 3 – Amended 12-19-2024
6. FY 2024-2025 Fiscal Year Budget Comparison Page 3 of 3 – Amended 12-19-2024

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7. Financial Statements - October 2024
8. YTD Budget Comparison - October 2024
9. Bill Payments Report – October 2024
10. Financial Statements – November 2024
11. YTD Budget Comparison - November 2024
12. Bill Payments Report – November 2024
13. LULSTB 2025 Meeting Schedule
14. Exhibit B – Avenu Analytics LLC Contract Compensation Schedule

1. Roll Call

Chairman Krennerich called the meeting to order at 1:34 P.M. The secretary called the roll, and a quorum (5 members/proxies or more) was established.

2. Adoption of the Agenda

ON MOTION OF Amanda Granier, SECONDED BY David Hall, AND CARRIED, the Board voted to adopt the agenda of the December 19, 2024, meeting of the Louisiana Uniform Local Sales Tax Board.

3. Approval of the Minutes of the Louisiana Uniform Local Sales Tax Board Held October 10, 2024.

ON MOTION OF David Hall, SECONDED BY Amanda Granier, AND CARRIED, the Board voted to approve the minutes of the Louisiana Uniform Local Sales Tax Board meeting held October 10, 2024; as written, with the ability to make corrections as needed.

4. Remote Seller Commission Update

Renee Roberie, Executive Director of the Louisiana Remote Sellers Commission, provided an update on monthly collections and distributions for October 2024. An estimated \$64 million has been collected in total with an estimated \$34.5 million distributed to the locals.

*****The meeting was stopped at 1:45 PM, because of a technical difficulty with the Zoom platform. The meeting resumed at 1:50 PM.*****

Executive Director Roberie continued her update by saying that the increase is due to increased compliance, a couple of taxpayers sending in exceptionally large amounts along with increases in sales from some larger taxpayers. The RSC is still adding 25-30 new accounts per week.

5. Executive Director's Report

A. Act No. 375 (2023 Regular Session) Update—Single Filing and Remittance System

1. Uniform Return and Remittance Project—Update

The contract for the reporting and remittance system is almost complete. There

are two items of technical language remaining to be agreed upon. The board is still waiting on the executed Statement of Delegation of Authority from OTS and State-wide Procurement. This is an important item because the Act mandates oversight by OTS, so it is important that we obtain a delegation stating that the Board complied with the mandate as well as the State's Procurement Rules and Regulations.

Proxy Member, Jesssica Knight asked who has reviewed the contract other than Executive Director Lymon. Executive Director Lymon answered that our General Counsel, Andrew Kolb, OTS, and Avenu Analytics all participated in contract reviews and negotiations.

B. Tax Advisory Proposal Pursuant to PPM No. 50.3

- **Taxability of Magazines, Newspapers, and Periodicals—Update**
- **Groceries/Meals Delivery Services—Update**

Both LDR and the Locals are consumed with reviewing the results of the 2024 Third Extraordinary Session. We hope to see guidance soon from the Department of Revenue. Executive Director Lymon hoped that these issues would have been addressed during the session, however, they were not.

C. TaxWatch API Modification Proposal – Update

Pricing related to providing historical rates would cost about \$20,000 per year. The vendor cannot provide exact rates for tax years prior to 2024 due to the data not being archived.

The vendor did not begin archiving mapping files until January 2024, so they are not able to provide 2021, 2022, and 2023 rates. The vendor can load data for previously requested addresses and provide related tax information. However, if the address was not previously requested, no data would be available. The cost for each 100K addresses would be about \$5,000.

Executive Director Lymon said that the only benefit is related to VDAs. Although, if the address had not been looked up previously, the tax rate information will not be in the data set.

Amanda Granier questioned if moving forward, we will be able to get answers from January 2024, forward. Executive Director Lymon said yes, but prior to January 2024, the mapping files were not saved.

The contract to add this functionality to the OMV agreement has not been approved, but we can still make a separate contract, and the pricing will not change. The price is \$20K annually to build and maintain this functionality with a 3% escalation on the base amount. Executive Director Lymon said that he was not asking the Board to vote on the item but merely recommending a course of action.

The Board gave Executive Director Lymon authority to act. There are no current requests for this functionality, so it is not included in the State-wide contract.

Resolution: FY 2023-2024 LLA's Attestation Questionnaire (Board Action Required)

Executive Director Lymon said that the questionnaire has not changed, and the answers have not changed either.

Amanda Granier suggested that we update the board's information by including Barney Arceneaux and Jessica Knight.

Revisions were identified and after a unanimous roll call vote, the board approved the resolution as amended.

D. Resolution: Amendment to Fiscal Year 2024-2025 Budget (Board Action Required)

Executive Director Lymon said that this is a mid-year budget adjustment, which is solely for the one-time implementation costs of \$389,389. In Exhibit B of the contract, the details of all payments are explained. The annual subscription begins in August 2025. The \$389K is due within 30 days of the contract signing.

There was a unanimous roll call vote to accept the budget as amended, the board approved the resolution as amended.

6. Financial Reports

- **Financial Statements: October 2024 & November 2024**

Beginning with the October financials, there is one less cash account due to the closure of the General Fund Account. Listed are the LAMP and MOU cash accounts only.

- **Y-T-D Budget Review: October 2024 & November 2024**

The budgeted revenue versus actual amount is incorrect. We are in talks with the accountant; however, the number is still incorrect. We are in good financial standing, and there are no concerns about exceeding the budgeted amounts. There are no expected overages. Adjustment to account 410-0800 for \$7,994 needs to be reclassified. Will get that taken care of.

- **Bills Payments Report: October 2024 & November 2024**

The October report is longer because of delays in approvals due to the Legislative Session. All bills paid were usual and customary.

Amanda Granier asked if the October/November P & L has an error in the budget of \$2 million? Executive Director Lymon said that the amount is being increased monthly, and the actual receipt of revenue is accurate.

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ON MOTION OF David Hall, SECONDED BY Amanda Granier AND CARRIED, the Board voted to accept the financial reports for October and November 2024 as presented.

7. Other Business

- **Election of Officers – Calendar Year 2025** (Board Action Required)
The election of officers is mandatory for 2025 for the positions of Chairperson, Vice Chairperson, and Secretary.

General Counsel Kolb explained the rules and duties of the positions. The by-laws require the Chairperson or Vice Chairperson to be a collector. Each nominee must accept or decline the nomination.

Chairmain: Duties given, David Hall nominated Kressy Krennerich for Chairperson, SECONDED BY Amanda Granier, AND CARRIED. Kressy Krennerich accepted the nomination for Chairperson and unanimous votes were tabulated.

Vice Chair: Duties given, Kressy Krennerich nominated Amanda Granier for Vice Chairperson, SECONDED BY Hannah Gettys, AND CARRIED. Amanda Granier accepted the nomination for Vice Chairperson and unanimous votes were tabulated.

Secretary: Amanda Granier stated that traditionally Neshelle Nogess has been Secretary, but she is out of the country and cannot accept.

Executive Director Lymon said that he had spoken with Ms. Nogess and said that she would accept the nomination if her proxy continued.

Because Ms. Nogess is not available to accept the nomination, the position of Secretary will remain vacant until Ms. Nogess is available to accept the nomination, or other nominations can be made. There were no other nominations made for Secretary.

- **2025 LULSTB Meeting Schedule** (Board Action Required)
The meetings will be held on the second Thursday of each month and adjusted for LATA Conference dates. Executive Directory Lymon said that the board must post the adopted meeting schedule before the end of the year.

David Hall asked if anyone had any comments regarding the Board meeting being held at the third quarter meeting conference as done in Natchitoches. There were no statements made by the watchers. Shawn McManus commented by chat that he is “Always open to meetings being held at conferences.”

Kressy Krennerich said that meetings can be set as virtual meetings. Executive Director Lymon reminded us that four meetings can be virtual, and the location of the meeting can change with the locations of the LATA conferences.

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ON MOTION OF David Hall, SECONDED BY Amanda Granier AND CARRIED, the Board voted to adopt the 2025 meeting dates as presented.

Public Comment

Chairperson Krennerich stated:

- The UELRRAC meeting was not held because no action items were pending. .
- Vendor's Compensation (VC) on the local level is repealed and online vendor's compensation is restricted and prohibited. The local VC rate is 0%. On paper returns the board suggests that the collector black out those lines due to potential changes in the upcoming legislative session.
- If a taxpayer uses an old paper return, it is recommended that Collectors disallow the VC and bill the taxpayer for the amount claimed.
- Act 10 requires reporting of sales of prescription drugs and MM&E and requires these items be separately reported beginning with the January 2025 returns.
- We will also have to deal with Medicaid and Medicare exemptions. The board spoke with Avenu and they plan to implement a Schedule A to show exemptions and reduced rates.
- After speaking with LDR, they will release guidance from the special session, "very soon." She continued with saying that LATA and the board would release guidance afterward as needed and she also asked for patience and grace from the collectors and the taxpayers.
- Chairperson Krennerich said, "We didn't make these rules, we are only tasked to enforce them."
- Amanda Granier said that R.S. 47:337.10 repeals the local option exemptions. Everyone who claims a local option needs to also look at Act 11(HB10) to see which five remain.
- David Hall said that the LATA letter that was sent out by Darlene Allen is a good basis to start giving taxpayers information about the 2024 Third Extraordinary Legislative session.
- In the chat, Shawn McManus wished everyone a MERRY CHRISTMAS!

Adjournment

ON MOTION OF David Hall, SECONDED BY Amanda Granier, AND CARRIED, the Board voted to adjourn at 2:57 P.M.