

LOUISIANA SALES AND USE TAX COMMISSION FOR REMOTE SELLERS

Minutes of October 15, 2020 Meeting

- I. **Call to Order/Roll Call** - The meeting of the Louisiana Sales and Use Tax Commission for Remote Sellers was called to order at 10:02 AM by Chairman Allen. Ms. Allen announced a letter received from Secretary Robinson appointing Danielle Clapinski to replace Vanessa LaFleur as a member of the Commission. A quorum was established with six of the eight members in attendance. Members present were:
 1. Darlene Allen (LDR)
 2. Jeffery LaGrange (ULSTB)
 3. Kimberly Robinson (LDR)
 4. Kressynda Krennerich (ULSTB)
 5. Kelli Jumper (LDR)
 6. Danielle Clapinski (LDR)

- II. **Approval of Meeting Minutes from September 10, 2020**
 - After review of the minutes, a motion was made to approve the meeting minutes from the meeting of September 10, 2020 by Ms. Krennerich and seconded by Mr. LaGrange. The minutes were unanimously approved without corrections.

- III. **Update on Direct Marketer/Remote Seller Registrations by LDR**
 - As of the date of the meeting, Ms. Jumper reported that there are 2,623 active direct marketer registrations. These numbers are expected to continue to decline as new registrations for remote sellers are received and filing with the Commission has begun.
 - Ms. Jumper reported that there are currently 1,663 remote seller active registrations, including the 732 accounts converted into the Commission's system.

- IV. **Discussion Items:**
 - A. **Remote Sellers Commission Website and Filing Portal Update**
 - Chairman Allen stated that since going live there have not been many issues. Jurisdictions have been being added by parishes which need to be assigned codes by the Office of Motor Vehicles. Also resale certificates are being addressed.

 - B. **Remote Sellers Commission Return/Collection Update**
 - Executive Director, Ms. Roberie reported that for the August 2020 period, 769 returns were received, with 641 reporting sales tax due. To date, returns

received for the September period are 607 returns received with five days left to file.

C. Change Request from Avenu

- Chairman Allen discussed a change request submitted by Avenu for the Commission's filing portal. The change request was requested by the Commission to allow a pay only option of a sales tax balance due on the online filing portal without having to file an amended return.

D. Act 216 of 2020 Regular Session, LA R.S. 47:302(V)(2)

- Chairman Allen stated that the LDR legal team is currently reviewing the Act and public comments submitted and should have a draft response of guidance soon for review and approval.

V. Action Items:

A. Approve Change request from IV(C) above (per approval from members)

- Mr. LaGrange made a motion to accept and approve the change request and was seconded by Ms. Clapinski. With no public comment or further discussion a vote was taken and all members approved the change request.

B. Authorize Chairman to sign MOUs with LDR

- Presented to members were the Memorandum's of Understanding (MOU) between the Commission and the Department of Revenue with regard to the collections and operations of the Commission.
- Ms. Robinson requested a minor name change to Section F in the operational MOU. A few other minor changes were discussed and Luke Morris will handle prior to final execution of the documents.
- A motion was made by Ms. Krennerich for the Chairman to enter into and execute the MOUs with LDR as amended, and was seconded by Ms. Jumper. With no further discussion a vote was taken with all members in agreement.

C. Authorize Executive Director to solicit proposals for Legal, Financial and Payroll services

- Ms. Roberie gave a brief outline of the need for services and requested permission to solicit proposals for legal services (Executive Counsel), financial (accounting system) as well as an accounting position, and payroll services from members. A motion was made by Mr. LaGrange to approve the request by Ms. Roberie and seconded by Ms. Krennerich. With no further discussion and no public comment a vote was taken and all members were in agreement to approve the request.

VI. Report from Executive Director

A. Distribution Report

- Ms. Roberie updated members on collections to date. The Commission has collected \$20,253,297.24. \$20,050,764.31 will be distributed to the state and local jurisdictions. The one percent retained by the Commission was \$202,000.

B. Budget

- Ms. Roberie gave an update to members of current budget numbers and payments to be made. Ms. Roberie reported that to date, with the one percent collections retained, the Commission has roughly \$400K collected. The Commission currently owes LDR approximately 319K of which 221K is due to Avenu, with the first payment being due November 30, 2020. The Commission is hoping to be able to take over all expenses and payroll by January 1, 2021.

VII. Other Business

- No other business was discussed.

VIII. Public Comment

- Mr. Andre Burvant of Jones Walker posed a couple of questions, first regarding whether the Commission expects collections to increase since September collections are the first month required for remote sellers to file. Ms. Roberie responded that it may take a little more time to see an upward trend in collections. Second, regarding the Act 216 guidance to be issued by the Commission, will the guidance be presented at a meeting prior to issuance and public comment accepted? Chairman Allen confirmed that the guidance will be presented at a meeting and public comment accepted prior to issuance.

IX. Adjournment

- With a motion by Mr. LaGrange and second by Ms. Jumper, Chairman Allen declared the meeting adjourned at approximately 10:30 AM.