

1 H.933

2 Senator White moves that the report of the Committee on Finance be
3 amended as follows:

4 First: By striking out Sec. 50 in its entirety and inserting in lieu thereof a
5 new Sec. 50 to read as follows:

6 Sec. 50. 24 V.S.A. § 138 is amended to read:

7 § 138. LOCAL OPTION TAXES

8 * * *

9 (c)(1) Any tax imposed under the authority of this section shall be collected
10 and administered by the Department of Taxes, in accordance with State law
11 governing such State tax or taxes and subdivision (2) of this subsection;
12 provided, however, that a sales tax imposed under this section shall be
13 collected on each sale that is subject to the Vermont sales tax using a
14 destination basis for taxation. Except with respect to taxes collected on the
15 sale of aviation jet fuel, a per-return fee of \$5.96 shall be assessed, ~~75~~ 80
16 percent of which shall be borne by the municipality, and ~~25~~ 20 percent of
17 which shall be borne by the State to be paid from the PILOT Special Fund.
18 Notwithstanding 32 V.S.A. § 603 or any other provision of law or municipal
19 charter to the contrary, revenue from the fee shall be used to compensate the
20 Department for the costs of administering and collecting the local option tax
21 and of administering the State appraisal and litigation program established in

1 32 V.S.A. § 5413. The fee shall be subject to the provisions of 32 V.S.A.
2 § 605.

3 (2) Notwithstanding any other law or municipal charter to the contrary, if
4 the Commissioner determines that local option tax was collected on a
5 transaction in a municipality not authorized to impose local option tax under
6 this section, the Commissioner shall either refund the erroneously collected tax
7 pursuant to 32 V.S.A. chapter 233 or 225 or, if the purchaser cannot reasonably
8 be determined, deposit the erroneously collected tax as required for State sales
9 and use tax pursuant to 16 V.S.A. § 4025(a)(6) or State meals and rooms tax
10 pursuant to 10 V.S.A. § 1388(a)(4), 16 V.S.A. § 4025(a)(4), and 32 V.S.A.
11 § 435(b)(7).

12 (d)(1) Except as provided in subsection (c) of this section and subdivision
13 (2) of this subsection with respect to taxes collected on the sale of aviation jet
14 fuel, of the taxes collected under this section, ~~75~~ 80 percent of the taxes shall
15 be paid on a quarterly basis to the municipality in which they were collected,
16 after reduction for the costs of administration and collection under subsection
17 (c) of this section. Revenues received by a municipality may be expended for
18 municipal services only, and not for education expenditures. Any remaining
19 revenue shall be deposited into the PILOT Special Fund established by 32
20 V.S.A. § 3709.

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