

East Feliciana Parish Annual Occupational License Fee:

Background information

East Feliciana Parish Ordinance 15-6, adopted in 1988, requires “each person pursuing and conducting any business, trade, calling or vocation, “ to obtain an annual Occupational License. The parish ordinance exempts certain businesses: “physicians, dentists, veterinarians and attorneys at law” from the requirement to obtain an occupational license and paying the tax. Louisiana Revised Statute RS 47:363 allows parish and local governments to grant exemptions to those deemed necessary. RS 47: 360 grants blanket exemptions to non-profit organizations, to those engaged in agricultural or horticultural pursuits, to sawmill operators and to several other groups. Generally, businesses are taxed based upon their gross sales in accordance with a set of tables which are published in Louisiana Revised Statute RS 47: 354 -358. RS 47:359 has special rates for certain businesses, including physicians, dentists, veterinarians and attorneys at law.

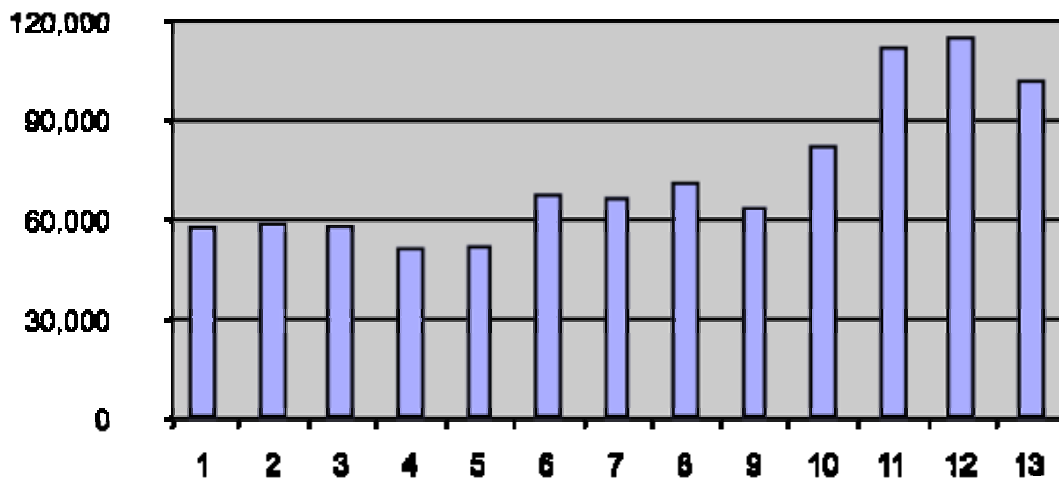
Interview with Sue Clayton, who now works in Assessors Office. In previous years when she worked in the Sheriff’s Office for Randy Maglone, Sue Clayton sent out notices in November to all businesses that their Occupational License Tax was due in January. She used the previous year’s list of payees when she sent out new notices. New businesses were added when they voluntarily came in to apply for the license. If a new business that had not applied for a license was noted, the owner was notified of the requirement. Clayton assumed different duties in the department in 1997.

Telephone interview with Ruby Castello, who works in the Sheriff’s Office for Talmadge Bunch. Ruby Castello has worked in this office since 2000, when Talmadge Bunch took office. There was no known procedure for notifying businesses of their annual requirement to pay the Occupational License Tax. No master list of businesses in the parish was available to the office or was established; however, most businesses continued to pay their regular fees. When it was brought to the attention of the office that some businesses had not paid their taxes, a list of businesses paying parish sales tax was obtained from the East Feliciana Parish School Board. Using this list as a guide, notices were sent out to delinquent businesses requesting remittance for the current year and the three previous years. Most all of these businesses have paid in full.

An inspection of parish bank deposits revealed the following information: In 1997-98-99, the Sheriff’s Office under Sheriff Maglone forwarded to the Police Jury about \$59,000 each year, which had been collected for occupational licenses. (See Chart) In 2000–2001, the first two years under Sheriff Bunch, collections amounted to about \$53,000, a drop of about 10 percent. Since that date, collections have increased steadily. In the first six months of 2009, \$103,000 had been collected and deposited. After the delinquent notices were sent out, another \$20,000 was collected. The \$20,000 represents \$5,000 per year for four years, 2006-07-08-09. This amounts to a delinquency rate of about 5 percent.

November 19, 2009

By Al O’Brien, Ethel



| | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 |
|-----|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|---------|---------|---------|
| Jan | 136 | 6,828 | 4,752 | 2,325 | 2,465 | 4,016 | 6,983 | 4,250 | 2,588 | 3,264 | | | |
| Feb | 6,452 | 20,973 | 12,628 | 17,985 | 7,077 | 14,778 | 25,672 | 17,572 | 28,205 | 39,331 | | | |
| Mar | 20,723 | 18,709 | 20,449 | 18,386 | 29,221 | 31,722 | 22,359 | 34,879 | 21,897 | 25,721 | | | |
| Apr | 19,223 | 886 | 1,745 | 3,392 | 1,401 | 5,254 | | 2,992 | | 1,258 | | | |
| May | 1,145 | 1,709 | 11,929 | 1,050 | 2,645 | 6,732 | 7,914 | 5,291 | 5,942 | 7,982 | | | |
| Jun | 3,740 | 8,149 | 5,590 | 6,576 | 5,661 | 2,092 | 2,214 | 5,516 | 5,118 | 2,964 | | | |
| Jul | 4,564 | 458 | 799 | 208 | 1,085 | 370 | 2,151 | 816 | 196 | 748 | | | |
| Aug | 349 | 85 | 139 | 193 | 805 | 565 | | 748 | | 1,745 | | | |
| Sep | 105 | 47 | | 519 | 341 | 98 | | | 128 | | | | |
| Oct | 106 | 400 | 136 | 43 | 709 | 553 | 174 | 136 | 374 | 128 | | | |
| Nov | 255 | 43 | 85 | 136 | 553 | 85 | 174 | 43 | 170 | 43 | | | |
| Dec | 1,921 | 1,437 | 795 | 1,585 | 978 | 2,397 | | | | | | | |
| | 58,717 | 59,722 | 59,046 | 52,396 | 52,941 | 68,662 | 67,641 | 72,242 | 64,618 | 83,182 | 113,000 | 116,000 | 103,000 |

Editor's Note: At the November 2 meeting of the East Feliciana Parish Police Jury, several parish residents raised concerns about the Sheriff's Office billing some businesses both for a current occupational license fee and for those fees for the past three years. The business owners noted that they had been unaware of the payment due, as they had not received a bill. Al O'Brien has investigated the error in billing. One of his discoveries is that certain business owners—physicians, dentists, veterinarians and attorneys—are exempt from the fee.