

2017 Regular Session

SENATE BILL NO. 182

BY SENATOR MORRELL

TAX/AD VALOREM. Provides for the tax credit for ad valorem taxes paid on inventory by taxpayers included in one consolidated federal income tax return. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 47:6006(B)(2), relative to tax credits; to provide with respect to
3 refund limitations involving one consolidated federal income tax return; to provide
4 for an effective date; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 47:6006(B)(2) is hereby amended and reenacted to read as follows:

7 §6006. Tax credits for local inventory taxes paid

8 * * *

9 B. * * *

10 (2) Each taxpayer allowed a credit under this Section shall claim the credit
11 on its separately filed income or corporate franchise tax return, however for purposes
12 of the application of the limitations on refundability of excess credit provided for in
13 Subparagraphs (1)(a) through (c) of this Subsection, all taxpayers included in one
14 consolidated federal income tax return filed under the Internal Revenue Code shall
15 be treated as a single taxpayer. The secretary shall promulgate rules to ensure that
16 taxpayers ~~affiliated with or related to any other entity through common ownership~~
17 ~~by the same interests or as parent or subsidiary~~ **included in one consolidated**

1 **federal income tax return** shall be considered one taxpayer for the purpose of the
2 limitations on refunds provided for in Subparagraphs (1)(a) through (c) of this
3 Subsection.

4 * * *

5 Section 2. This Act shall become effective upon signature by the governor or, if not
6 signed by the governor, upon expiration of the time for bills to become law without signature
7 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
8 vetoed by the governor and subsequently approved by the legislature, this Act shall become
9 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Leonore Heavey.

DIGEST

SB 182 Original

2017 Regular Session

Morrell

Present law provides for a refundable tax credit for local ad valorem taxes paid on inventory and limits refundability for certain affiliated taxpayers.

Proposed law retains present law and restricts the refund limitation for affiliated taxpayers to taxpayers that are members of the same federal consolidated group for federal income tax purposes.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 47:6006(B)(2))