
DIGEST

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HCR 117 Original

2019 Regular Session

Stokes

Present law (R.S. 24:117(B)(2)) authorizes the legislature to express the intended meaning of a law in a duly adopted concurrent resolution, by the same vote and, except for gubernatorial veto and time limitations for introduction, according to the same procedures and formalities required for enactment of that law.

Present law (R.S. 47:33(A)(7)) which was enacted pursuant to Act No. 6 of the 2018 2nd E.S. of the Legislature provides for an individual income tax deduction for an individual partner, member, or shareholder's proportionate share of an entity-level tax paid to another state that is based solely upon net income included in the entity's federal taxable income without any capital component.

Proposed resolution expresses the intent of the legislature regarding Act No. 6 of the 2018 2nd E.S. of the Legislature with respect to the tax credit for taxes paid to other states to allow the deduction in R.S. 47:33(A)(7) to those taxpayers who were no longer eligible for the credit found in R.S. 47:33(A) because of the various restrictions in Act No. 109 of the 2015 R.S. of the Legislature. The Legislature clarifies that it intends that the deduction found in R.S. 47:33(A)(7) shall be in lieu of and not in addition to the credit found in R.S. 47:33(A), and that the credit and the deduction not be allowed for the same taxes paid to another state for tax periods beginning on or after Jan. 1, 2018.

Requires a copy of the Resolution be transmitted to the secretary of the Dept. of Revenue.