

2020 Regular Session

HOUSE BILL NO. 846

BY REPRESENTATIVE WRIGHT

TAX/TAX REBATES: Provides relative to the Competitive Projects Payroll Incentive Program

1 AN ACT

2 To amend and reenact R.S. 51:3121(A)(7), (B)(1)(b)(v), and (C)(1), (2), and (3)(a) and to  
3 enact R.S. 51:3121(B)(1)(b)(vi) through (ix), relative to the competitive projects  
4 payroll incentive program; to provide relative to the program's eligibility  
5 requirements; to extend duration of the program; to remove certain approvals; to  
6 provide relative to certain requirements for participation in the program; to provide  
7 for certain limitations; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 51:3121(A)(7), (B)(1)(b)(v), and (C)(1), (2), and (3)(a) are hereby  
10 amended and reenacted and R.S. 51:3121(B)(1)(b)(vi) through (ix) are hereby enacted to  
11 read as follows:

12 §3121. Competitive Projects Payroll Incentive Program

13 A. Definitions. For purposes of this Section, the following words or terms  
14 as used in this Chapter shall have the following meanings, unless a different meaning  
15 appears from the context:

16 \* \* \*

17 (7) "Qualified business" means a business certified by the secretary as

1 meeting the eligibility requirements of Subsection B of this Section, ~~approved by the~~  
2 ~~Joint Legislative Committee on the Budget to participate in the program,~~ and  
3 executing a contract providing the terms and conditions for its participation.

4 \* \* \*

5 B. Eligibility requirements. (1) A business shall be eligible for participation  
6 in the program if all of the following requirements are met:

7 \* \* \*

8 (b) The business will primarily engage in one of the following activities at  
9 the project site:

10 \* \* \*

- 11 (v) Cybersecurity.
- 12 (vi) Renewable or a recycling process.
- 13 (vii) Agri-bio industry.
- 14 (viii) COVID virus screening, protective gear, medical devices, drugs, or  
15 equipment for treatment of COVID infected patients.
- 16 (ix) Other activities as recommended by the secretary and approved by the  
17 Joint Legislative Committee on the Budget.

18 \* \* \*

19 C. Applications and contract approval and administration. (1) ~~At the~~  
20 ~~invitation of the secretary,~~ A business may apply for a contract by submitting to the  
21 department ~~such~~ the certified statements and substantiating documents as the  
22 department may require.

23 (2) The secretary ~~may~~ shall certify eligibility of the business ~~and request~~  
24 ~~approval by the Joint Legislative Committee on the Budget of its participation to~~  
25 participate in the program ~~on~~ in accordance with terms and conditions specified by  
26 the secretary in a proposed contract, if the secretary determines all of the following:

27 (a) The business meets the eligibility requirements provided for in  
28 Subsection B of this Section.



Present law authorizes businesses to participate in the program upon invitation by the secretary of the Dept. of Economic Development (DED) and approval by the Joint Legislative Committee on the Budget (JLCB). Further authorizes other business activities to be eligible to participate in the program as recommended by the secretary of DED and approved by JLCB.

Proposed law changes present law by eliminating the requirement that businesses be invited to participate in the program by invitation of the secretary of DED and JLCB's requirement to approve a business to participate in the program. Further eliminates the requirement that JLCB approve other business activities in order to be eligible to participate in the program.

Present law authorizes the secretary of DED to certify eligibility of the business and request approval by JLCB of its participation in the program, if the secretary determines all of the following:

- (1) The business meets the eligibility requirements provided for in present law.
- (2) Participation in the program is needed in a highly competitive site selection situation to encourage the business to locate or expand in the state.
- (3) Securing the project will result in a significant positive economic benefit to the state.

Proposed law eliminates the requirement that JLCB approve a businesses participation in the program. Otherwise retains present law.

Present law prohibits any new contracts from being approved on or after July 1, 2022, but contracts existing on that date may continue and may be renewed.

Proposed law extends the termination date for new contracts to be entered into from on or after July 1, 2022, to on or after July 1, 2026.

(Amends R.S. 51:3121(A)(7), (B)(1)(b)(v), and (C)(1), (2), and (3)(a); Adds R.S. 51:3121(B)(1)(b)(vi)-(ix))