

2015 Regular Session

SENATE BILL NO. 280

BY SENATOR CHABERT

TAX/AD VALOREM. Changes the time within which tax credit refunds must be issued for property taxes paid on OCS vessels. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 47:6006.1(C), relative to tax credits; to provide for tax credits  
3 for ad valorem property taxes paid with respect to vessels in Outer Continental Shelf  
4 Lands Act Waters; to change the time within which refunds must be paid; and to  
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 47:6006.1(C) is hereby amended and reenacted to read as follows:

8 §6006.1. Tax credits for taxes paid with respect to vessels in Outer Continental  
9 Shelf Lands Act Waters

10 \* \* \*

11 C. Notwithstanding any other provision of law to the contrary in Title 47 of  
12 the Louisiana Revised Statutes of 1950, as amended, any excess of allowable credit  
13 established by this Section over the aggregate tax liabilities against which such credit  
14 can be applied, as provided in this Section, shall constitute an overpayment, as  
15 defined in R.S. 47:1621(A), and the secretary shall make a refund of such  
16 overpayment from the current collections of the taxes imposed by Chapter 1 or  
17 Chapter 5 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, as

1 amended, together with interest as provided in R.S. 47:1624. The right to a credit or  
 2 refund of any such overpayment shall not be subject to the requirements of R.S.  
 3 47:1621(B). All credits and refunds, together with interest thereon, must be paid or  
 4 disallowed within ~~ninety~~ **seventy-five** days of receipt by the secretary, of any such  
 5 claim for refund or credit. Failure of the secretary to pay or disallow, in whole or in  
 6 part, any claim for a credit or a refund shall entitle the aggrieved taxpayer to proceed  
 7 with the remedies provided in R.S. 47:1625.

\* \* \*

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

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

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	DIGEST	
SB 280 Original	2015 Regular Session	Chabert

Present law grants a refundable income and corporation franchise tax credit for property taxes paid on vessels in Outer Continental Shelf Lands Act Waters.

Proposed law changes the time within which refunds must be issued from 90 days to 75 days.

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

(Amends R.S. 47:6006.1(C))