

## RÉSUMÉ DIGEST

ACT 169 (SB 222)

2015 Regular Session

Donahue

New law, relative to budgetary procedures, defines "incentive expenditures" to mean the reductions of and payments from current tax collections because of the following incentive benefit statutes:

- (1) Atchafalaya Trace Heritage Area Development Zone Tax Exemption (Part II of Chapter 26 of Title 25 of the LRS).
- (2) Brownfields Investor Tax Credit (R.S. 47:6021).
- (3) Cane River Heritage Tax Credit (R.S. 47:6026).
- (4) Louisiana Community Economic Development Act (R.S. 47:6031).
- (5) Ports of Louisiana Tax Credits (R.S. 47:6036).
- (6) Motion Picture Investor Tax Credit (R.S. 47:6007).
- (7) Research and Development Tax Credit (R.S. 47:6015).
- (8) Digital Interactive Media and Software Act (R.S. 47:6022).
- (9) Louisiana Motion Picture Incentive Act (Chapter 12 of Subtitle II of Title 47 of the LRS).
- (10) Louisiana Capital Companies Tax Credit Program (Chapter 26 of Title 51 of the LRS).
- (11) New Markets Tax Credit (R.S. 47:6016).
- (12) University Research and Development Parks (R.S. 17:3389).
- (13) Industrial Tax Equalization Program (Chapter 1 of Subtitle V of Title 47 of the LRS).
- (14) Exemptions for Manufacturing Establishments (Chapter 3 of Subtitle V of Title 47 of the LRS).
- (15) Louisiana Enterprise Zone Act (Chapter 21 of Title 51 of the LRS).
- (16) Sound Recording Investor Tax Credit (R.S. 47:6023).
- (17) Urban Revitalization Tax Incentive Program (Chapter 22 of Title 51 of the LRS).
- (18) Technology Commercialization Credit and Jobs Program (Part VI of Chapter 22 of Title 51 of the LRS).
- (19) Angel Investor Tax Credit Program (R.S. 47:6020).
- (20) Musical and Theatrical Productions Income Tax Credit (R.S. 47:6034).
- (21) Retention and Modernization Act (Chapter 39-C of Title 51 of the LRS).
- (22) Tax Credit for Green Jobs Industries (R.S. 47:6037).
- (23) Louisiana Quality Jobs Act (Chapter 42 of Title 51 of the LRS).
- (24) Corporate Headquarters Relocation Program (Chapter 54 of Title 51 of the LRS).
- (25) Competitive Projects Payroll Incentive Program (R.S. 51:3121).
- (26) Procurement Processing Company Rebate Program (R.S. 47:6351).
- (27) Tax Credit for Rehabilitation of Historic Structures (R.S. 47:6019).
- (28) Rebates for Donations to School Tuition Organizations (R.S. 47:6301).

New law defines "current tax collections" to mean the current collections of the taxes imposed by Subtitle II of Title 47 of the LRS.

New law requires the Revenue Estimating Conference (REC) to establish a forecast of incentive expenditures for each fiscal year, beginning for fiscal year 2016-2017, which shall include a forecast of the amount of payments from and reductions of current tax collections to be granted by each of the incentive benefit statutes listed in the definition of incentive benefit for the forecasted year. Requires that the forecast be an amount that is no less than the estimated amount of payments from and reductions of current tax collections which will be made by each of the incentive benefit statutes.

New law requires that the "incentive expenditure forecast" be derived and based upon the assumption that the current law and current administrative procedures will remain in effect for the forecast period. Requires that the agency which administers the incentive benefit notify the conference when the incentive expenditure forecast is not sufficient to meet the requirements of current law or current administrative procedures. Authorizes the conference to revise the forecast as necessary. Requires that the incentive expenditure forecast be a separate forecast and shall not be included in the estimates of the money to be received by the state general fund and dedicated funds for the current and next fiscal years which are available for appropriation.

New law provides for the information, and the timing of submission of the information, that agencies of the state are to provide in order for the REC to prepare an incentive expenditure forecast.

New law requires that the incentive expenditure forecast be determined by the REC through a process to be decided by the conference except that any final action establishing an incentive expenditure forecast shall be taken only pursuant to a unanimous decision by all of the conference principals.

Effective July 1, 2015.

(Adds R.S. 39:2(15.1), (15.2), and 24.1)