
SENATE COMMITTEE AMENDMENTS

2015 Regular Session

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 829
by Representative Robideaux

1 AMENDMENT NO. 1

2 On page 1, line 3, after "(C)(1)(e)" insert "and 6039"

3 AMENDMENT NO. 2

4 On page 1, line 4, after "credit;" insert "to grant transferable Student Assessment for a
5 Valuable Education (SAVE) credits for each student enrolling at a public institution of
6 higher education and provide for a program for transfer of the credits and distribution of
7 certain funds with respect to such credits;"

8 AMENDMENT NO. 3

9 On page 1, line 8, after "on the tax credit" insert "and a fiscal year program cap on allowance
10 of the tax credits and transfers"

11 AMENDMENT NO. 4

12 On page 1, line 14, change "is" to " "and 6039 are"

13 AMENDMENT NO. 5

14 On page 2, line 24, after "means a" insert "motion picture production"

15 AMENDMENT NO. 6

16 On page 2, after line 28, insert the following:

17 "(6.1) "Marketing and promotion expenses" means expenditures included in
18 the production budget and made in this state for services performed in this state
19 directly relating to the development of advertising and marketing campaigns for a
20 state certified production, such as the creation of film trailers and posters, not
21 exceeding the lesser of three hundred thousand dollars or fifteen percent of the total
22 state certified tax credits for the production. Marketing and promotion expenses shall
23 not include media buys except as established by rule for a fixed fee or commission
24 payment made to a Louisiana company for services performed in the state in
25 accordance with standard business practices."

26 AMENDMENT NO. 7

27 On page 3, line 1, change "or" to "and"

28 AMENDMENT NO. 8

29 On page 3, line 5, after "viewing" insert "with a paid subscription"

30 AMENDMENT NO. 9

31 On page 3, at the end of line 23, insert

32 "However, "payroll" for purposes of ~~the additional tax credit for Louisiana-resident payroll~~
33 this Section shall exclude any portion of the salary, wages, and other compensation including
34 benefits paid to an individual salary in excess of one million dollars."

1 AMENDMENT NO. 10

2 On page 3, line 28, after "must be" insert "a motion picture production company"

3 AMENDMENT NO. 11

4 On page 4, line 26, after "expenditures" delete "incurred"

5 AMENDMENT NO. 12

6 On page 5, line 4, after "payroll." delete the remainder of the line and delete lines 5 through
7 7, and insert "For all state-certified productions approved on or after January 1, 2004, this
8 This term shall not"

9 AMENDMENT NO. 13

10 On page 5, delete line 12 in its entirety and insert the following:

11 "application fee, or state or local taxes, or any expenditures incurred outside of
12 Louisiana. For all state-certified productions approved on or after July 1, 2015, this
13 term shall include marketing and promotion expenses of the state-certified
14 production incurred in this state."

15 AMENDMENT NO. 14

16 On page 5, between lines 24 and 25, insert the following:

17 "(16.1) "Slate of productions" or "slate" means an aggregation of motion
18 picture production projects with a combined total of qualified expenditures that
19 exceed three hundred thousand dollars for activities occurring within the state over
20 a maximum of twenty-four months. A slate shall not include more than three state-
21 certified productions. No single state-certified production in a slate shall exceed
22 three hundred thousand dollars. Tax credits shall not be issued for any single state-
23 certified production included within a slate until the entire slate has been completed.
24 A single application for the slate shall identify all of the productions within the slate,
25 and the application shall be submitted to the office no less than thirty days prior to
26 the beginning of production. Only expenditures made after the application for the
27 slate is received by the office may qualify for tax credits pursuant to the provisions
28 of this Section."

29 AMENDMENT NO. 15

30 On page 7, delete lines 7 through 15 and at the beginning of line 16 change "(iv)" to "(iii)"

31 AMENDMENT NO. 16

32 On page 7, line 18, after "allowed" delete the remainder of the line and insert the following:

33 "~~an additional~~ a tax credit of five percent of such payroll expended for Louisiana
34 residents. The tax credit authorized in this Item shall be in addition to the tax credit
35 authorized in Item (i) of this Subparagraph."

36 AMENDMENT NO. 17

37 On page 7, delete lines 21 through 26

38 AMENDMENT NO. 18

39 On page 7, line 27, change "(d) For" to "(d)(i) For applications initially certified before July
40 1, 2015, for"

1 AMENDMENT NO. 19

2 On page 7, line 29, change "two hundred million" to "one hundred eighty million"

3 AMENDMENT NO. 20

4 On page 8, line 3, after "year." change "Beginning" to "For state-certified productions
5 approved on or after"

6 AMENDMENT NO. 21

7 On page 8, between lines 5 and 6, insert:

8 "(ii)(aa) For each fiscal year beginning Fiscal Year 2015-2016, claims against
9 state income tax allowed on returns for tax credits or transfers of such tax credits to
10 the office as provided for in Paragraph (4) of this Subsection shall be limited to an
11 aggregate total of one hundred eighty million dollars each fiscal year. Claims for tax
12 credits or transfers of tax credits to the office shall be allowed on a first-come-first-
13 served basis. Any taxpayer whose claim for such tax credits or transfer to the office
14 is disallowed may use the tax credits against state income tax due in a return filed in
15 the next fiscal year or may transfer tax credits to the office the next fiscal year, and
16 his claim or transfer shall have priority over other claims filed or transfers applied
17 for after the date and time of his original claim or application for transfer.

18 (bb) If less than one hundred eighty million dollars of such tax credits and
19 transfers are allowed in a fiscal year, the remaining amount, plus any amounts
20 remaining from previous fiscal years, shall be added to the one hundred eighty
21 million dollar limit of a subsequent fiscal years until that amount of tax credits or tax
22 credit transfers to the office are claimed and allowed."

23 AMENDMENT NO. 22

24 On page 9, between lines 3 and 4, insert:

25 "§6039. Student Assessment for a Valuable Education (SAVE) credit program

26 A. The Program. (1) The Board of Regents shall implement a Student
27 Assessment for a Valuable Education (SAVE) Credit Program for each student
28 enrolling at a public institution of higher education. Each student assessed shall be
29 granted a SAVE credit provided for in this Section against individual income, sales
30 and use, gasoline, and special fuels taxes equal to the individual amount of a SAVE
31 assessment. The amount of each credit shall not exceed the average household tax
32 liability in Louisiana for the total of the following: individual income, sales and use,
33 gasoline, and special fuels taxes as determined and published by the Department of
34 Revenue no later than June thirtieth of each fiscal year.

35 (2) The SAVE credit shall be a transferable, nonrefundable credit against the
36 liability as provided by Paragraph (1) of this Subsection of a student, or his parent
37 or legal guardian, which shall be transferred to the Board of Regents and used solely
38 as provided for in Subsection C of this Section, for each student enrolled in a public
39 institution of higher education on and after July 1, 2015. The procedure for
40 implementing such credit shall be referred to as the SAVE Credit Program.

41 B. Eligibility determination requirements, reporting of eligible students and
42 transfer and use of funds. (1) The Department of Revenue shall distribute student
43 eligibility determination criteria to the Board of Regents to be used for requesting the
44 credit for student assessments. Student eligibility shall be based on the liability for
45 individual income tax, sales and use taxes, gasoline, and special fuels taxes paid to
46 the state of Louisiana by all of the students and their parents or legal guardians in the
47 prior year as determined by the Department of Revenue as provided for in Paragraph
48 (1) of this Subsection.

49 (2) No later than June thirtieth of each fiscal year, the Board of Regents shall
50 certify to the Department of Revenue the total headcount enrollment at public
51 institutions of higher education in the previous fall. The Department of Revenue
52 shall determine the total amount of the credit based on the allowable appropriation,

1 headcount, and the provisions in this Section and shall provide to the treasurer from
2 the current collections of taxes an amount of funds equal to such determination.
3 Upon notification from the Department of Revenue and receipt of the funds, the
4 treasurer is authorized and directed to deposit or transfer such funds into the Higher
5 Education Initiatives Fund pursuant to R.S. 17:3129.6. The secretary of the
6 Department of Revenue and the treasurer shall report immediately such action to the
7 commissioner of administration and the Joint Legislative Committee on the Budget.

8 (3) In no event shall the credit or assessment exceed the amount appropriated
9 by the legislature from the Higher Education Initiatives Fund each fiscal year. For
10 Fiscal Year 2015-2016, the total allowable amount available for transfer shall be
11 designated in the supplementary section of Schedule 19-671 Board of Regents in the
12 Act that originated as HB1 of the 2015 Regular Session of the Legislature of
13 Louisiana. For Fiscal Year 2016-2017 and thereafter, the total allowable amount
14 available for transfer shall be determined by the legislature.

15 C. Allocation of SAVE program credits. The Board of Regents shall
16 distribute all funds appropriated from the Higher Education Initiatives Fund derived
17 from the SAVE Credit Program pursuant to its formula for the equitable distribution
18 of funds to public institutions of higher education.

19 D. No student or student's parent or legal guardian shall be required to pay
20 an assessment that is not offset by a SAVE credit pursuant to this Section.

21 E. The requirements of R.S. 47:1524 shall not be applicable to the credits
22 provided for in this Section."