

2017 Regular Session

SENATE BILL NO. 174

BY SENATOR MORRELL

TAX/TAXATION. Provides for a deduction for individual and corporate income tax for certain disaster payments. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 47:287.738(G), 293(9)(a)(i) and (10), relative to income tax
3 deductions; to provide for a deduction from individual and corporation income tax
4 for disaster recovery benefits received from state and federal agencies; to provide for
5 a transition rule; to provide for an effective date; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 47:287.738(G), 293(9)(a)(i) and (10) are hereby amended and
8 reenacted to read as follows:

9 §287.738. Other inclusions and exclusions from gross income

10 * * *

11 G. Deduction for hurricane recovery benefits. ~~Seventy-two percent of any~~
12 Any gratuitous grant, loan, or other benefit directly or indirectly provided to a
13 taxpayer by **a federal or state agency, a recovery authority, an instrumentality**
14 **of the state, or** a hurricane recovery entity as defined in R.S. 47:293 shall be allowed
15 as a deduction if such **disaster recovery** benefit was included in federal ~~adjusted~~
16 ~~gross~~ income.

17 * * *

1 §293. Definitions

2 The following definitions shall apply throughout this Part, unless the context
3 requires otherwise:

4 * * *

5 (9)(a) "Tax table income", for resident individuals, means adjusted gross
6 income plus interest on obligations of a state or political subdivision thereof, other
7 than Louisiana and its municipalities, title to which obligations vested with the
8 resident individual on or subsequent to January 1, 1980, and less:

9 (i) Any gratuitous grant, loan, or other benefit directly or indirectly provided
10 to a taxpayer by a hurricane recovery entity, **or federal or state agency or recovery**
11 **authority** if such **disaster recovery** benefit was included in federal adjusted gross
12 income.

13 * * *

14 (10) "Tax table income", for nonresident individuals, means the amount of
15 Louisiana income, as provided in this Part, allocated and apportioned under the
16 provisions of R.S. 47:241 through 247, plus the total amount of the personal
17 exemptions and deductions already included in the tax tables promulgated by the
18 secretary under authority of R.S. 47:295, less the proportionate amount of the federal
19 income tax liability, excess federal itemized personal deductions, the temporary
20 teacher deduction, the recreation volunteer and volunteer firefighter deduction, the
21 construction code retrofitting deduction, any gratuitous grant, loan, or other benefit
22 directly or indirectly provided to a taxpayer by a hurricane recovery entity, **or**
23 **federal or state agency or recovery authority** if such **disaster recovery** benefit
24 was included in federal adjusted gross income, the exclusion provided for in R.S.
25 47:297.3 for S Bank shareholders, the deduction for expenses disallowed by I.R.C.
26 Section 280C, the deduction for net capital gains, and personal exemptions and
27 deductions provided for in R.S. 47:294. The proportionate amount is to be
28 determined by the ratio of Louisiana income to federal adjusted gross income. When
29 federal adjusted gross income is less than Louisiana income, the ratio shall be one

