

Regular Session, 2009

SENATE BILL NO. 335

BY SENATORS JACKSON AND BROOME

TAX/INCOME/PERSONAL. Retains the excess federal itemized personal deduction at tax year 2008 level. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 47:293(3), relative to the individual income tax; to provide for
3 a deduction for excess federal itemized personal deductions; to modify the state
4 deduction for federal income tax paid; to provide for the effectiveness of such
5 deduction; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 47:293(3) is hereby amended and reenacted to read as follows:

8 §293. Definitions

9 The following definitions shall apply throughout this Part, unless the context
10 requires otherwise:

11 * * *

12 (3) "Excess federal itemized personal deductions" for the purposes of this
13 Part, means ~~the following percentages~~ **sixty-five per cent** of the amount by which
14 the federal itemized personal deductions exceed the amount of federal standard
15 deductions which is designated for the filing status used for the taxable period on the
16 individual income tax return required to be filed:

17 (a) ~~For tax years beginning during calendar year 2007, fifty-seven and one~~

1 ~~half percent of such excess federal itemized personal deductions:~~

2 ~~(b) For~~ **for** tax years beginning during calendar year 2008 **and thereafter.**

3 ~~(c) For all tax years beginning on and after January 1, 2009, one hundred~~
4 ~~percent of such excess federal itemized personal deductions:~~

5 * * *

6 Section 2. The provisions of this Act shall become effective for all taxable periods
7 beginning on or after January 1, 2009.

8 Section 3. This Act shall become effective upon signature by the governor or, if not
9 signed by the governor, upon expiration of the time for bills to become law without signature
10 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
11 vetoed by the governor and subsequently approved by the legislature, this Act shall become
12 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Jerry J. Guillot.

DIGEST

Present law, relative to personal income taxes, defines "excess federal itemized personal deductions" as the following percentages of the amount by which the federal itemized personal deductions exceed the amount of federal standard deductions which is designated for the filing status used for the taxable period on the individual income tax return required to be filed:

- (1) For tax years beginning during calendar year 2007, 57 ½% of such excess federal itemized personal deductions.
- (2) For tax years beginning during calendar year 2008, 65% percent of such excess federal itemized personal deductions.
- (3) For all tax years beginning on and after January 1, 2009, 100% of such excess federal itemized personal deductions.

Proposed law for tax years beginning during calendar year 2008 and thereafter, provides for 65% of such excess federal itemized personal deductions.

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

(Amends R.S. 47:293(3))