

Regular Session, 2009

SENATE BILL NO. 335

BY SENATORS JACKSON AND BROOME

TAX/INCOME/PERSONAL. Retains the deduction for excess federal itemized personal deduction at 65% for 2009, 2010, and 2011; provides a 100% deduction on and after January 1, 2012. (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 provide for the
4 effectiveness of such deduction; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

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

7 §293. Definitions

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

10 * * *

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

16 (a) ~~For tax years beginning during calendar year 2007, fifty-seven and one~~
17 ~~half percent of such excess federal itemized personal deductions.~~

1 ~~(b)~~ **For (a) For** tax years beginning during calendar year 2008, **2009, 2010,**
2 **and 2011.**

3 ~~(e)~~**(b)** For all tax years beginning on and after January 1, ~~2009~~ **2012,** one
4 hundred 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 was prepared by Jerry J. Guillot. The following digest, which does not constitute a part of the legislative instrument, was prepared by Danielle Doiron.

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, 2009, 2010 and 2011, provides a deduction for 65% of such excess federal itemized personal deductions.

Proposed law for tax years beginning on or after Jan. 1, 2012, provides for a 100% of excess federal itemized personal deduction.

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

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

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Revenue and Fiscal Affairs to the original bill.

1. Changes the years in which 65% of excess federal itemized personal deductions may be taken from all tax years from 2008 to tax years beginning during calendar years 2009, 2010 and 2011.
2. Provides a deduction for 100% of such excess federal itemized personal deductions for tax years beginning on and after Jan. 1, 2012.