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**HOUSE COMMITTEE AMENDMENTS**

2017 Regular Session

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 628 by Representative Jones

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1 AMENDMENT NO. 12 On page 2, line 19, after "operation." delete the remainder of the line and delete line 20 in  
3 its entirety4 AMENDMENT NO. 25 On page 3, line 4, after "Business of" and before "merchandising" delete "manufacturing  
6 and"7 AMENDMENT NO. 38 On page 3, at the end of line 5, delete "manufacture, production," and at the beginning of line  
9 6, delete "or"10 AMENDMENT NO. 411 On page 3, line 7, after "business of" and before "merchandising" delete "manufacturing  
12 or"13 AMENDMENT NO. 5

14 On page 3, between lines 21 and 22, insert the following:

15 "(d) Any taxpayer whose income is primarily derived from the  
16 manufacture or production of tangible personal property."17 AMENDMENT NO. 618 On page 4, line 1, after "business of" and before "merchandising" delete "manufacturing or"19 AMENDMENT NO. 720 On page 4, at the end of line 2, delete "or producing"21 AMENDMENT NO. 822 On page 4, at the beginning of line 11, delete "or producing"23 AMENDMENT NO. 9

24 On page 4, delete line 18 in its entirety and insert the following:

25 "mean cash paid out as winnings to patrons and no other costs shall be  
26 included. For purposes of calculating Louisiana gross receipts, the amount  
27 shall include all amounts received from gaming operations with no offset for  
28 cash paid out as winnings to patrons."29 AMENDMENT NO. 1030 On page 4, line 19, after "that is" delete the remainder of the line and delete lines 20 and 21  
31 in their entirety and insert "an integral part of the merchandising process."

1 AMENDMENT NO. 112 On page 7, at the end of line 6, delete "business" and insert "corporation"3 AMENDMENT NO. 124 On page 7, line 9, after "shall" and before "be" insert "not"5 AMENDMENT NO. 136 On page 7, line 13, after "Subsection" delete the remainder of the line and insert "C of this  
7 Section on any amounts not excluded from Louisiana taxable income."8 AMENDMENT NO. 149 On page 7, delete lines 14 through 27 in their entirety and on page 8, delete lines 1 through  
10 15 in their entirety and insert the following:11 "C. Except as hereinafter provided, corporations or those entities  
12 electing to be treated and taxed as corporations for federal income tax  
13 purposes, shall pay the greater of either the amount of tax due under Part II-A  
14 of Chapter 1 of this Subtitle, after the application of all available credit  
15 carryforwards, nonrefundable credits, and refundable credits or one of the  
16 amounts of tax as follows:"17 AMENDMENT NO. 1518 On page 8, at the beginning of line 16, change "(a)" to "(1)"19 AMENDMENT NO. 1620 On page 8, at the beginning of line 19, change "(b)" to "(2)"21 AMENDMENT NO. 1722 On page 8, at the beginning of line 22, change "(c)" to "(3)"23 AMENDMENT NO. 1824 On page 8, at the beginning of line 25, change "(3)" to "(4)(a)"25 AMENDMENT NO. 1926 On page 8, delete lines 28 and 29 in their entirety and on page 9, delete lines 1 through 6 in  
27 their entirety and insert the following:28 "(b) If the amount calculated pursuant to Subparagraph (a) of this  
29 Paragraph is greater than the amount of corporation income tax that would  
30 be due, the following alternative calculation shall apply:31 (i) If the amount of corporation income tax due after application of  
32 all available credits is an amount equal to seventy-five percent or less of the  
33 amount calculated pursuant to Subparagraph (a) of this Paragraph, then the  
34 alternative tax shall be an amount equal to the sum of the corporation income  
35 tax and fifty percent of the amount calculated pursuant to Subparagraph (a)  
36 of this Paragraph. If the amount of corporation income tax due after  
37 application of all credits is less than zero, then the alternative tax shall be an  
38 amount equal to fifty percent of the amount calculated pursuant to  
39 Subparagraph (a) of this Paragraph.

1           (ii) If the amount of corporation income tax is an amount greater than  
 2 seventy-five percent of the amount calculated pursuant to Subparagraph (a)  
 3 of this Paragraph, then the alternative tax shall be an amount equal to the sum  
 4 of the corporation income tax and thirty-five percent of the amount  
 5 calculated pursuant to Subparagraph (a) of this Paragraph.

6           D. Except as hereinafter provided, corporations engaged in the  
 7 business of merchandising or gaming, or those entities engaged in the  
 8 business of merchandising or gaming electing to be treated and taxed as  
 9 corporations for federal income tax purposes, shall pay the greater of either  
 10 the amount of tax due under Part II-A of Chapter 1 of this Subtitle, after the  
 11 application of all available credit carryforwards, nonrefundable credits, and  
 12 refundable credits or one of the amounts of tax as follows:"

13 AMENDMENT NO. 20

14 On page 9, at the beginning of line 7, change "a" to "1"

15 AMENDMENT NO. 21

16 On page 9, at the beginning of line 10, change "b" to "2"

17 AMENDMENT NO. 22

18 On page 9, at the beginning of line 13, change "c" to "3"

19 AMENDMENT NO. 23

20 On page 9, at the beginning of line 16, change "3" to "4(a)"

21 AMENDMENT NO. 24

22 On page 9, at the beginning of line 18, delete "a" and insert "i"

23 AMENDMENT NO. 25

24 On page 9, at the beginning of line 20, delete "b" and insert "ii"

25 AMENDMENT NO. 26

26 On page 9, between lines 21 and 22, insert the following:

27           "b If the amount calculated pursuant to Subparagraph (a) of this  
 28 Paragraph is greater than the amount of corporation income tax that would  
 29 be due, the following alternative calculation shall apply:

30           (i) If the amount of corporation income tax due after application of  
 31 all available credits is an amount equal to seventy-five percent or less of the  
 32 amount calculated pursuant to Subparagraph (a) of this Paragraph, then the  
 33 alternative tax shall be an amount equal to the sum of the corporation income  
 34 tax and fifty percent of the amount calculated pursuant to Subparagraph (a)  
 35 of this Paragraph. If the amount of corporation income tax due after  
 36 application of all credits is less than zero, then the alternative tax shall be an  
 37 amount equal to fifty percent of the amount calculated pursuant to  
 38 Subparagraph (a) of this Paragraph.

39           (ii) If the amount of corporation income tax is an amount greater than  
 40 seventy-five percent of the amount calculated pursuant to Subparagraph (a)  
 41 of this Paragraph, then the alternative tax shall be an amount equal to the sum

1 of the corporation income tax and thirty-five percent of the amount  
 2 calculated pursuant to Subparagraph (a) of this Paragraph."

3 AMENDMENT NO. 27

4 On page 10, delete lines 2 through 5 in their entirety and insert "47:288.4(C) or (D)."

5 AMENDMENT NO. 28

6 On page 10, line 12, after "provided by" delete the remainder of the line and delete lines 13  
 7 through 15 in their entirety and insert "R.S. 47:288.4(C) or (D)."

8 AMENDMENT NO. 29

9 On page 10, line 19, after "provided by" delete the remainder of the line and delete lines 20  
 10 through 22 in their entirety and insert "R.S. 47:288.4(C) or (D)."

11 AMENDMENT NO. 30

12 On page 11, line 1, after "year." and before "The" insert the following:

13 "An entity with a taxable year on a calendar year basis shall file a return on  
 14 or before the fifteenth day of the fifth month following the close of the  
 15 calendar year. An entity with a taxable year on a fiscal year basis shall file  
 16 a return on or before the fifteenth day of the fifth month following the close  
 17 of the fiscal year."

18 AMENDMENT NO. 31

19 On page 11, between line 3 and 4, insert the following:

20 "B. The tax imposed by this Part shall be due in each case on the day  
 21 following the last day of each taxable year."

22 AMENDMENT NO. 32

23 On page 11, at the beginning of line 4, change "B." to "C." and after "to the tax" and before  
 24 "shall" insert "as provided for in R.S. 47:288.4(C) or (D)"

25 AMENDMENT NO. 33

26 On page 11, at the beginning of line 9, change "C." to "D."

27 AMENDMENT NO. 34

28 On page 12, delete line 17 in its entirety and insert the following:

29 "Section 2. This Act shall take effect on January 1, 2018 if the Acts  
 30 that originated as House Bill Nos. 284, 285, 311, and 411 of this 2017  
 31 Regular Session of the Legislature are enacted and become effective and if  
 32 and when the proposed amendment of Article VII of the Constitution of  
 33 Louisiana contained in the Act that originated as House Bill No. 258 of the  
 34 2017 Regular Session of the Legislature is adopted at a statewide election  
 35 and becomes effective."