ACT 183 (SB 37)   **2019 Regular Session**   **Peacock**

Prior law authorized municipalities and parishes to refer unpaid debt to the Department of Revenue for offset against individual income tax refunds.

New law authorizes all units of local government, including school boards and special districts, to refer unpaid debt to the Department of Revenue for offset against individual income tax refunds.

Prior law defined debt as any legally collectible, liquidated sum due and owing an agency that is in excess of $25.

New law provides that unpaid public elementary and secondary school student fees or unpaid elementary and secondary student fees for students enrolled in the Student Scholarships for Educational Excellence Program meals will not be considered debt for purposes of the income tax refund offset program.

Prior law provides for a priority ranking of refund offset claims.

New law retains prior law priority for municipalities and parishes and adds all other local government units authorized to perform governmental functions, including a school board or special district to this priority level.

Prior law required state agencies to refer certain delinquent debts to the Office of Debt Recovery for collection.

New law retains prior law for state agencies and authorizes all units of local government to refer final delinquent debts to the Office of Debt Recovery for collection.

Prior law defined debt as any legally collectible, liquidated sum due and owing an agency and provides for exceptions.

New law retains prior law exceptions from the definition of debt and further provides that an unpaid public elementary and secondary school student fees or unpaid elementary and secondary student fees for students enrolled in the Student Scholarships for Educational Excellence Program meals will not be considered debt for purposes of the income tax refund offset program.

Effective August 1, 2019.

(Amends R.S. 47:299.2(1)(d) and (3), 299.11(9), and 1676(B)(3); adds R.S. 47:1676(B)(1.1))