

First Extraordinary Session, 2005

HOUSE BILL NO. 48

BY REPRESENTATIVE SCHNEIDER

TAX/INCOME TAX: Provides a tax deduction for uninsured losses associated with natural disaster

1 AN ACT

2 To amend and reenact R.S. 47:293(7) and to enact R.S. 47:293(6)(a)(ix), relative to the  
3 imposition of individual income tax; to authorize a deduction from gross income for  
4 disaster-related casualty losses allowed on the taxpayer's federal income tax return  
5 for the same tax year; to provide for an effective date; and to provide for related  
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 47:293(7) is hereby amended and reenacted and R.S. 47:293(6)(a)(ix)  
9 is hereby enacted to read as follows:

10 §293. Definitions

11 \* \* \*

12 (6)(a)

13 \* \* \*

14 (ix) A deduction for disaster-related casualty losses allowed on the taxpayer's  
15 federal income tax return for the same tax year. "Disaster-related casualty losses"  
16 means those casualty losses which arose in the presidentially declared Hurricane  
17 Katrina disaster area on or after August 29, 2005, and which are attributable to  
18 Hurricane Katrina or which arose in the presidentially declared Hurricane Rita  
19 disaster area on or after September 23, 2005, and which are attributable to Hurricane  
20 Rita.

21 \* \* \*

1           (7) "Tax table income", for nonresident individuals, means the amount of  
2           Louisiana income, as provided in this Part, allocated and apportioned under the  
3           provisions of R.S. 47:241 through 247, plus the total amount of the personal  
4           exemptions and deductions already included in the tax tables promulgated by the  
5           secretary under authority of R.S. 47:295, less the proportionate amount of the federal  
6           income tax liability, the exclusion provided for in R.S. 47:297.3 for S Bank  
7           shareholders, the deduction for disaster-related casualty losses allowed on the  
8           taxpayer's federal income tax return for the same tax year, and personal exemptions  
9           and deductions provided for in R.S. 47:294. The proportionate amount is to be  
10          determined by the ratio of Louisiana income to federal adjusted gross income. When  
11          federal adjusted gross income is less than Louisiana income, the ratio shall be one  
12          hundred percent.

13          Section 2. This Act shall be effective for all taxable periods beginning after  
14          December 31, 2004.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

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Schneider

HB No. 48

**Abstract:** Allows a deduction from gross income for disaster-related casualty losses allowed on the taxpayer's federal income tax return for the same tax year.

Proposed law authorizes a deduction from individual income tax for disaster-related casualty losses allowed on the taxpayer's federal income tax return for the same tax year.

Effective for tax periods beginning after December 31, 2004.

(Amends R.S. 47:293(7); Adds R.S. 47:293(6)(a)(ix))