## SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 543 by Senator Donahue

## 1 AMENDMENT NO. 1

- 2 On page 1, line 2, change "39:24(A) and (B), 34(A), 51(A)(2)," to "39:34(A)"
- 3 AMENDMENT NO. 2
- 4 On page 1, line 3, change "39:2(15.1) and 36(A)(7)" to "39:2(15.1) and (15.2), 24.1, 5 36(A)(7), and 51(A)(5)"
- 6 AMENDMENT NO. 3
- 7 On page 1, line 3, change "expenditures for" to "incentive expenditures;"
- 8 AMENDMENT NO. 4
- 9 On page 1, delete line 4, and insert "to provide for inclusion in the incentive expenditure"
- 10 AMENDMENT NO. 5
- On page 1, line 6, after "budget of" delete the remainder of the line, and insert "incentive
   expenditures;"
- 13 AMENDMENT NO. 6
- 14 On page 1, line 7, delete "individuals;"
- 15 AMENDMENT NO. 7
- 16 On page 1, line 9, change "39:24(A) and (B), 34(A), 51(A)(2)" to "39:34(A)"
- 17 AMENDMENT NO. 8
- On page 1, line 10, change "39:2(15.1) and 36(A)(7)" to "39:2(15.1) and (15.2), 24.1,
  36(A)(7), and 51(A)(5)"
- 20 AMENDMENT NO. 9
- 21 On page 1, delete line 16 and 17, on page 2, delete lines 1 through 3, and insert the 22 following:

23	"(15.1) "Incentive expenditures" means the reductions of and payments
24	from current tax collections because of the following incentive benefit statutes:
25	(a) Atchafalaya Trace Heritage Area Development Zone Tax Exemption
26	(Part II of Chapter 26 of Title 25 of the Louisiana Revised Statutes of 1950,
27	<u>comprised of R.S. 25:1226 et seq.).</u>
28	(b) Brownsfields Investor Tax Credit (R.S. 47:6021).
29	(c) Cane River Heritage Tax Credit (R.S. 47:6026).
30	(d) Louisiana Community Economic Development (R.S. 47:6031).
31	(e) Ports of Louisiana Tax Credit (R.S. 47:6036).
32	(f) Motion Picture Investor Tax Credit (R.S. 47:6007).
33	(g) Research and Development Tax Credit (R.S. 47:6015).
34	(h) Digital Interactive Media and Software Tax Credit (R.S. 47:6022).

1	(i) Louisiana Motion Picture Incentive Program (Chapter 12 of Subtitle
2	II of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S.
3	<u>47:1121 et seq.).</u>
4	<u>(j) Louisiana Capital Companies Tax Credit Program (Chapter 26 of</u>
5	<u>Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:1921 et</u>
6	<u>seq.).</u>
7	(k) New Markets Tax Credit (R.S. 47:6016).
8	(1) University Research and Development Parks (R.S. 17:3389).
9	(m) Industrial Tax Equalization Program (Chapter 1 of Subtitle V of
10	Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:3201
11	<u>through 3205).</u>
12	(n) Exemptions for Manufacturing Establishments (Chapter 3 of Subtitle
13	V of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S.
14	<u>47:4301through 4306).</u>
15	(o) Enterprise Zones (Chapter 21 of Title 51 of the Louisiana Revised
16	Statutes of 1950, comprised of R.S. 51:1781 et seq.).
17	(p) Sound Recording Investor Tax Credit (R.S. 47:6023).
18	(q) Urban Revitalization Tax Incentive Program (Chapter 22 of Title 51
19	of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:1801).
20	<u>(r) Technology Commercialization Credit and Jobs Program (Part VI of</u>
21	Chapter 22 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of
22	<u>R.S. 51:2351 et seq.).</u>
23	(s) Angel Investor Tax Credit Program (R.S. 47:6020).
24	(t) Musical and Theatrical Productions Tax Credit (R.S. 47:6034)
25	(u) Retention and Modernization Credit (Chapter 39-C of Title 51 of the
26	Louisiana Revised Statutes of 1950, comprised of R.S. 51:2399.1 through
27	<u>2399.6).</u>
28	(v) Green Jobs Industries Credit (R.S. 47:6037).
29	(w) Louisiana Quality Jobs Program (R.S. 51:2451 et seq.).
30	(x) Corporate Headquarters Relocation Program (Chapter 54 of Title 51
31	of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:3111 through
32	<u>3115).</u>
33	(y) Competitive Projects Payroll Incentive Program (R.S. 51:3121).
34	(z) Procurement Processing Company Rebate Program (R.S. 47:6351).
35	(aa) Rehabilitation of Historic Structures (R.S. 47:6019).
36	(15.2) "Current tax collections" means the current collections of the
37	taxes imposed by Subtitle II of Title 47 of the Louisiana Revised Statutes of
38	<u>1950.</u> "

39 AMENDMENT NO. 10

40 On page 2, delete lines 5 through 29, on page 3, delete lines 1 through 14, and insert the 41 following:

42	" <u>§24.1. Incentive expenditure forecast</u>
43	A. Beginning fiscal year 2015-2016, the Revenue Estimating Conference
44	shall establish a forecast of incentive expenditures for each fiscal year,
45	hereinafter referred to as the incentive expenditure forecast, which shall be
46	derived and revised only as provided in this Section. The forecast of incentive
47	expenditures shall include a forecast of the amount of payments from and
48	reductions of current tax collections to be granted by each of the incentive
49	benefit statutes provided for in R.S. 39:2(15.1) for the forecasted year. The
50	forecast shall be an amount that is no less than the estimated amount of
51	payments from and reductions of current tax collections which will be made by
52	each of the incentive benefit statutes provided for in R.S. 39:2(15.1) for the
53	forecasted fiscal year. Such forecast shall be used to provide for the statement
54	of incentive expenditure allocations in the proposed executive budget, the
55	general appropriation bill and other appropriation bills, and the state budget.
56	<b>B.</b> The incentive expenditure forecast shall be derived and based upon
57	the assumption that the current law and current administrative procedures will
58	remain in effect for the forecast period.

C. The department which administers the incentive benefit shall notify the conference when the incentive expenditure forecast is not sufficient to meet the requirements of current law or current administrative procedures. The conference may revise the forecast as necessary.

D. The incentive expenditure forecast shall be a separate section in the official forecast and shall not be included in the estimates of the money to be received by the state general fund and dedicated funds for the current and next fiscal years which are available for appropriation.

E.(1) The Revenue Estimating Conference may utilize whatever staff, information, and technical expertise which it may determine is required to derive or revise the incentive expenditure forecast. The conference may request and shall receive from all public officers, departments, agencies, and authorities of the state such assistance and data as will enable the conference to fulfill its duties.

(2) Public officers, departments, agencies, and authorities of the state, including the Department of Revenue, the Department of Economic **Development, and the Department of Culture, Recreation and Tourism, which** administer an incentive expenditure program shall furnish the Revenue Estimating Conference, legislative fiscal office, and the division of administration with data reflecting the program's operations and shall prepare a report setting forth the dollar amount of incentive expenditure for each incentive benefit program administered by the respective department, agency, or authority. In order that such information may be included in the incentive expenditure forecast for the next fiscal year, such reports shall include data beginning July first of each fiscal year through the date of the report and the report shall be due monthly. An initial report detailing historical participation and applicable dollar amounts of incentive expenditures shall also be provided. The initial historical report and subsequent monthly reports shall be developed in consultation with the Revenue Estimating Conference, the legislative fiscal office, and the division of administration.

31 (3) In addition to the data required to be submitted in Paragraph (2) of 32 this Subsection, each department, agency, or authority of the state, including the 33 Department of Revenue, the Department of Economic Development, and the 34 Department of Culture, Recreation and Tourism, which administers an 35 incentive expenditure as defined in R.S. 39:2(15.1) shall submit to the Revenue 36 Estimating Conference, the legislative fiscal office, and the division of 37 administration, upon request, an estimate of incentive expenditures for each of 38 the tax benefit statutes listed in R.S. 39:2(15.1) administered by the respective department, agency, or authority. Such estimates shall be an amount that is no 39 40 less than the estimated amount of reductions of and payments to be made from 41 current tax collections for each incentive expenditures for the current fiscal 42 year. The participants of the conference shall work in conjunction with the 43 respective department, agency, or authority, to finalize all estimates for 44 presentation to the conference.

45 F. The incentive expenditure forecast shall be determined by the 46 Revenue Estimating Conference through a process to be decided by the 47 conference except that any final action establishing an incentive expenditure 48 forecast shall be taken only pursuant to a unanimous decision by all of the 49 conference principals. \*" \* \*

51 AMENDMENT NO. 11

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52 On page 3, line 24, after "separate" delete the remainder of the line, delete lines 25 through 53 29, on page 4, delete lines 1 and 2, and insert the following:

54 "statement of incentive expenditures allocations as contained in the incentive expenditure forecast. The incentive expenditures allocations shall be stated as 55 56 a separate description in the program activities of the respective department, 57 agency, or authority of the state which administers an incentive expenditure as 58 defined in R.S. 39:2(15.1). A statement of total incentive expenditure allocations

## 1 shall also be provided in the executive budget proposal. Such incentive 2 expenditures shall not be included as, nor counted towards the operating expenses of the relevant department, agency, or authority." 3

4 AMENDMENT NO. 12

5 On page 4, line 12, after "separate", delete the remainder of the line, delete lines 13 through 6 19, and insert the following:

7 "statement of incentive expenditures allocations as contained in the incentive 8 expenditure forecast. The incentive expenditures allocations shall be stated as 9 a separate description in the program activities of the respective department, 10 agency, or authority of the state which administers an incentive expenditure as 11 defined in R.S. 39:2(15.1). Such incentive expenditures shall not be included as, nor counted towards the operating expenses of the relevant department, agency, 12 13 or authority."

14 AMENDMENT NO. 13

15 On page 4, delete lines 22 through 29, on page 5, delete lines 1 through 7, and insert the 16 following:

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17 "A.

18 19 (5) The General Appropriation Bill and other appropriation bills shall 20 include a statement of incentive expenditure allocations as contained in the 21 incentive expenditure forecast. The incentive expenditures allocations shall be 22 stated as a separate description in the program activities of the respective 23 department, agency, or authority of the state which administers an incentive 24 expenditure as defined in R.S. 39:2(15.1). Such incentive expenditures shall not be included as, nor counted towards the operating expenses of the relevant 25 26 department, agency, or authority. The statement of incentive expenditure 27 allocations shall not be deemed to be an appropriation. 28 \*

29 AMENDMENT NO. 14

30 On page 5, line 17, after "include" delete the remainder of the line, delete lines 18 through 31 21, and insert "a statement of total incentive expenditure allocations and a statement of 32 incentive expenditure allocations by department."