2017 Regular Session

HOUSE BILL NO. 425

BY REPRESENTATIVE MAGEE

TAX CREDITS: Removes the restriction against taxes paid under protest concerning claims for the ad valorem tax credit for certain offshore vessels

1	AN ACT
2	To amend and reenact R.S. 47:6006.1(A) and (D)(2), relative to tax credits; to provide with
3	respect to the tax credit for ad valorem taxes paid with respect to vessels in Outer
4	Continental Shelf Lands Waters; to provide for eligibility for claiming the credit; to
5	provide for effectiveness; and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 47:6006.1(A) and (D)(2) are hereby amended and reenacted to read
8	as follows:
9	§6006.1. Tax credits for taxes paid with respect to vessels in Outer Continental
10	Shelf Lands Act Waters
11	A. There shall be allowed a credit against any Louisiana income or
12	corporation franchise tax for ad valorem taxes paid without protest to political
13	subdivisions on vessels in Outer Continental Shelf Lands Act Waters as certified to
14	the assessor pursuant to R.S. 47:1956(B) within the calendar year immediately
15	preceding the taxable year of assessment of such vessel. For purposes of this
16	Section, ad valorem taxes shall be deemed to be paid to political subdivisions when
17	they are paid without protest either in money or by applying credits established
18	pursuant to R.S. 47:2108.1 <u>R.S. 47:2132</u> .
19	* * *

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	D.		
2	* * *		
3	(2) The acceptance by the sheriff and ex officio tax collector of the ad		
4	valorem taxes paid without protest by a taxpayer as certified under R.S. 47:1956(B)		
5	shall conclusively establish: that such property was properly classified as a "vessel",		
6	for purpose of this Section; that such vessel was "principally operated" in Outer		
7	Continental Shelf Lands Act Waters during the applicable tax year; and that such		
8	taxpayer shall be entitled to a credit or refund pursuant to this Section.		
9	* * *		
10	Section 2. This Act shall become effective on July 1, 2017, and shall be applicable		

11 for taxable periods beginning on and after that date.

where taxes were paid under protest.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 425 Engrossed	2017 Regular Session	Magee			
Abstract: Removes the prohibition on eligibility for the tax credit for ad valorem taxes paid with respect to vessels in Outer Continental Shelf Lands Act Waters in instances					

<u>Present law</u> authorizes an income and corporation franchise tax credit for ad valorem taxes paid without protest on vessels in Outer Continental Shelf Lands Act Waters which have been certified by the taxpayer to the assessor as being principally located in such areas within the calendar year immediately preceding the taxable year of assessment of the vessel.

<u>Proposed law</u> changes <u>present law</u> by removing the restriction on eligibility for the credit for taxes which have been paid under protest.

Effective July 1, 2017.

(Amends R.S. 47:6006.1(A) and (D)(2))