

FOR OFFICE USE ONLY

HOUSE FLOOR AMENDMENTS

2017 Regular Session

Amendments proposed by Representative Stokes to Engrossed House Bill No. 425 by Representative Magee

1 AMENDMENT NO. 1

2 On page 1, line 2, after "R.S. 47:6006.1(A)" and before the comma "," delete "and (D)(2)"
3 and insert a comma "," and insert "(D)(2), and (F)"

4 AMENDMENT NO. 2

5 On page 1, line 4, after "credit;" and before "to" insert "to authorize the recapture of tax
6 credits under certain circumstances;"

7 AMENDMENT NO. 3

8 On page 1, line 7, after "R.S. 47:6006.1(A)" and before "are" delete "and (D)(2)" and insert
9 a comma "," and insert "(D)(2), and (F)"

10 AMENDMENT NO. 4

11 On page 2, delete lines 10 and 11 in their entirety and insert the following:

12 "F. Nothing herein and any taxes paid by a taxpayer relative to any vessel,
13 as defined herein, shall in any way prohibit any taxpayer from the payment of ad
14 valorem taxes under protest or to otherwise resist the collection of such ad valorem
15 taxes. If a taxpayer pays ad valorem taxes under protest, the taxpayer shall notify the
16 Department of Revenue by submitting a copy of the payment under protest notice,
17 along with a copy of the lawsuit that was filed. Notice shall be provided to the
18 department within five business days of the date the lawsuit is filed. If the taxpayer
19 prevails in the suit against the political subdivision, the amount of the credit issued
20 under the provisions of this Section for ad valorem taxes paid by the taxpayer that
21 are determined by the court to not be due to the political subdivision shall be subject
22 to recapture by the Department of Revenue as provided for in R.S. 47:1621(E). Any
23 action by the Department of Revenue to recapture tax credits shall be initiated within
24 two years from the date of issuance of the final judgment in the suit related to the
25 payment of the taxes under protest. Further, nothing in this Section shall affect,
26 define, interpret, in whole or in part, or otherwise determine the applicability of the
27 international trade exemption in Article VII, Section 21(C)(16) of the Constitution
28 of Louisiana or any other applicable rights, exemptions, exclusions, preemptions, or
29 peremptions under the Constitution of Louisiana as amended, the Constitution of the
30 United States as amended, all treaties and executive agreements of the United States,
31 all intrastate agreements and compacts between Louisiana and other states, all laws
32 of Louisiana as amended, and all laws of the United States of America as amended.

33 * * *

34 Section 2. The provisions of this Act shall apply to corporation income tax periods
35 beginning on and after January 1, 2017 and corporation franchise tax periods beginning on
36 and after January 1, 2018."

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 Section 3. This Act shall become effective on July 1, 2017."