

ACT No. 304

2019 Regular Session

HOUSE BILL NO. 263

BY REPRESENTATIVE STOKES

1 AN ACT

2 To amend and reenact R.S. 47:287.86(C)(2), relative to income tax; to provide with respect
3 to the net operating loss deduction; to provide for the order of loss from which a net
4 operating loss may be carried over; to provide for effectiveness; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 47:287.86(C)(2) is hereby amended and reenacted to read as
8 follows:

9 §287.86. Net operating loss deduction

10 * * *

11 C. Manner and amount of carryovers. For all claims for this deduction on
12 any return filed on or after July 1, 2015, regardless of the taxable year to which the
13 return relates, the entire amount of Louisiana net loss for any taxable year,
14 hereinafter the "loss year", shall be carried over to the earliest of the taxable years
15 allowed. The portion of such loss which shall be carried to each of the other taxable
16 years allowed by Subsection B shall be the excess, if any, of the amount of such loss
17 over the aggregate of the Louisiana taxable income for each of the taxable years to
18 which such loss may be carried. For the purposes of this Subsection:

19 * * *

20 (2) In calculating the aggregate Louisiana taxable incomes in cases where
21 more than one loss year must be taken into account, the various net operating loss
22 carryovers to such taxable year are considered to be applied in reduction of
23 Louisiana net income in the order of the taxable years from which such losses are
24 carried over, beginning with the loss for the ~~most recent~~ earliest taxable year.

25 * * *

1 Section 2. The provisions of this Act shall be applicable to all tax years beginning
2 on and after January 1, 2020.

3 Section 3. This Act shall become effective upon signature by the governor or, if not
4 signed by the governor, upon expiration of the time for bills to become law without signature
5 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
6 vetoed by the governor and subsequently approved by the legislature, this Act shall become
7 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____