SLS 21RS-97 ORIGINAL

2021 Regular Session

SENATE BILL NO. 81

1

BY SENATOR LUNEAU

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

REVENUE DEPARTMENT. Establishes reporting requirements for businesses and governmental entities using service providers. (7/1/21)

AN ACT

2 To enact R.S. 47:114.1, relative to reporting requirements to the Department of Revenue; 3 to require businesses and governmental entities that pay certain service providers to file annual reports; to authorize the secretary of the Department of Revenue to 4 5 promulgate rules; to provide for extensions and waivers; and to provide for related 6 matters. 7 Be it enacted by the Legislature of Louisiana: 8 Section 1. R.S. 47:114.1 is hereby enacted to read as follows: 9 §114.1. Annual Information Return of Service Recipient 10 A. Beginning January 1, 2022, any service recipient who makes or is 11 required to make a return to the Internal Revenue Service, in accordance with Section 6041A(a) of the Internal Revenue Code and treasury regulations 12 13 adopted thereunder and other administrative guidance issued by the Internal Revenue Service, including the instructions to Internal Revenue Service Form 14 15 1099-NEC or successor form, relating to payments made to a service provider as remuneration for services provided in this state, shall file a copy of the return 16 with the secretary as provided for in this Section. 17

B.(1) The return copy shall be filed with the secretary on or before the
28th day of February of each year for the preceding calendar year. The first
report shall be filed on or before February 28, 2022, for remunerations made
during calendar year 2021.
(2) Upon receipt of a written request from a service recipient in the
manner prescribed by the secretary, the secretary may grant a reasonable
extension of time, not exceeding thirty days, for filing the annual report.
(3) The secretary may waive the annual reporting requirement upon a
showing by the service recipient that the requirement creates an undue
hardship. A request for waiver shall be submitted to the secretary in the
manner prescribed by the secretary.
C. The secretary may promulgate rules and regulations in accordance
with the Administrative Procedure Act to implement the provisions of this
Section.
* * *
Section 2. This Act shall become effective on July 1, 2021.
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Curry Lann.
DIGEST Original 2021 Regular Session Luneau

IRS relating to payments made to a service provider as remuneration for services provided in this state to file an annual report with the secretary beginning January 1, 2022.

Proposed law requires the annual report to be filed with the secretary on or before February 28th of each year for the preceding calendar year.

Proposed law requires the first annual report to be filed on or before February 28, 2022, for remunerations made during calendar year 2021.

<u>Proposed law</u> authorizes the secretary to grant filing extensions and waive the annual reporting requirement in certain circumstances.

<u>Proposed law</u> authorizes the secretary to promulgate rules to implement the provisions of proposed law.

Effective July 1, 2021.

(Adds R.S. 47:114.1)

Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.