
DIGEST

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HB 445 Original

2021 Regular Session

Bourriaque

Abstract: Changes the sound recording investor tax credit from a non-refundable tax credit to a refundable tax credit.

Present law authorizes a state income tax credit for investments made in state-certified productions until July 1, 2026. The tax credit is earned by investors at the time expenditures are certified by the Dept. of Economic Development according to the total base investment certified for the sound recording production company per calendar year. The aggregate amount of credits that can be certified each year is limited to \$2,160,000; however, 50% of the credits certified each year shall be reserved for Qualified Music Companies.

Present law prohibits the application of tax credits earned and claimed against an investor's tax liability from reducing the investor's income tax liability below 50% prior to application of the credit, regardless of the amount of the credit the investor earned. Further authorizes the investor to carry forward unused tax credits for up to five years to be applied against the investor's tax liability in subsequent years.

Proposed law changes present law to delete the limitation on the amount of credit that may be used in any taxable year to offset the investor's tax liability *and* converts the tax credit from a credit that requires the carry forward of unused credits for up to five years to a refundable tax credit wherein the amount of the tax credit which exceeds the taxpayer's liability is refunded to the taxpayer. Proposed law requires the secretary of the Dept. of Revenue to make refunds from the current income and corporate franchise tax collections.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 47:6023(C)(4)(b))