

Regular Session, 2011

SENATE BILL NO. 245

BY SENATOR WILLARD-LEWIS

TAX/TAXATION. Provides a tax credit against individual state income tax for the amount of sales tax paid by homeowners when purchasing green materials for residential home building or remodeling. (8/15/11)

1 AN ACT

2 To enact R.S. 47:6038, relative to tax credits; to provide an income tax credit in the amount
3 of sales taxes paid by homeowners for green materials and supplies purchased in
4 Louisiana to be used to build, rebuild, or remodel; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 47:6038 is hereby enacted to read as follows:

7 **§6038. Credit for green material and supplies purchased in Louisiana**

8 **A. There shall be allowed a credit against Louisiana individual income**
9 **tax for sales taxes paid by a homeowner for green materials and supplies**
10 **purchased in Louisiana to be used in residential building, rebuilding or**
11 **remodeling. The credit shall be an amount equal to the total amount of the state**
12 **sales tax paid by the homeowner for the purchase of green materials and**
13 **supplies from Louisiana suppliers and used for residential home purposes.**

14 **B. This credit shall be taken as a credit against the applicable individual**
15 **state income tax or taxes in the taxable period in which the sales taxes were**
16 **paid. The total of all credits taken in a taxable year shall not exceed the total**
17 **income tax liability for that taxable year for that individual.**

1 **C. For purposes of this Section, the following terms shall have the**
2 **following meanings:**

3 **(1) "Homeowner" means a person who resides and owns their home in**
4 **Louisiana.**

5 **(2) "Resident" means a person living in a home in Louisiana on a long-**
6 **term basis.**

7 **(3) "Green Material" means any plant material that is separated at the**
8 **point of generation containing no greater than one percent of physical**
9 **contaminants by weight, and meets the requirements of the United States Green**
10 **Building Council.**

11 **(4) "Building or Rebuilding" means to make extensive structural repairs.**

12 **(5) "Remodeling" means to change or alter the structure, style or form**
13 **of a home.**

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Michelle Broussard-Johnson.

DIGEST

Proposed law provides for a credit against Louisiana income tax for the state sales taxes paid by a homeowner for green materials and supplies purchased in Louisiana to be used in residential building, rebuilding or remodeling of a Louisiana residence. The credit shall be an amount equal to the total amount of the state sales tax paid the homeowner in the purchase of material and supplies from Louisiana suppliers and used in the building, rebuilding or remodeling of a Louisiana residence.

Proposed law provides that the credit shall be taken in the taxable period which the state sales taxes were paid, and that the total of all credits taken shall not exceed the total income tax liability for that taxable year for the individual.

Effective August 15, 2011.

(Adds R.S. 47:6038)