

2015 Regular Session

HOUSE BILL NO. 263

BY REPRESENTATIVE LEGER

TAX/INCOME TAX: (Constitutional Amendment) Eliminates the state income tax deduction for federal income taxes paid

1 A JOINT RESOLUTION

2 Proposing to amend Article VII, Section 4(A) of the Constitution of Louisiana, relative to  
3 income taxation; to provide with respect to the deductibility of federal income taxes  
4 paid for purposes of computing state income taxes; to provide for an effective date;  
5 to provide for submission of the proposed amendment to the electors; and to provide  
6 for related matters.

7 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members  
8 elected to each house concurring, that there shall be submitted to the electors of the state of  
9 Louisiana, for their approval or rejection in the manner provided by law, a proposal to  
10 amend Article VII, Section 4(A) of the Constitution of Louisiana, to read as follows:

11 §4. Income Tax; Severance Tax; Political Subdivisions

12 Section 4.(A) Income Tax. Equal and uniform taxes may be levied on net  
13 incomes, and these taxes may be graduated according to the amount of net income.  
14 However, the state individual and joint income tax schedule of rates and brackets  
15 shall never exceed the rates and brackets set forth in Title 47 of the Louisiana  
16 Revised Statutes on January 1, 2003. ~~Federal income taxes paid shall be allowed as~~  
17 ~~a deductible item in computing state income taxes for the same period.~~

18 \* \* \*

19 Section 2. Be it further resolved that the provisions of the amendment contained in  
20 this Joint Resolution shall be applicable to all tax years beginning on and after January 1,  
21 2015.

1 Section 3. Be it further resolved that this proposed amendment shall be submitted  
2 to the electors of the state of Louisiana at the statewide election to be held on October 24,  
3 2015.

4 Section 4. Be it further resolved that on the official ballot to be used at the election,  
5 there shall be printed a proposition, upon which the electors of the state shall be permitted  
6 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as  
7 follows:

8 Do you support an amendment to eliminate the deductibility of federal  
9 income taxes paid in computing state individual and corporate income taxes  
10 for all tax years beginning on and after January 1, 2015? (Amends Article  
11 VII, Section 4(A))

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 263 Original

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Leger

**Abstract:** Eliminates the deductibility of federal income taxes paid when computing state individual and corporate income taxes.

Present constitution authorizes equal and uniform taxes to be levied on net income. Further authorizes the rates for these taxes to be graduated according to the amount of net income of the taxpayer; however, the state individual and joint income tax schedule of rates and brackets are prohibited from exceeding the rates and brackets as they existed on Jan. 1, 2003.

Present constitution authorizes federal income taxes paid to be allowed as a deductible item in computing state income taxes for the same period.

Proposed constitutional amendment changes present constitution by eliminating the deductibility of federal income taxes paid when computing both individual and corporate income tax liability.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Oct. 24, 2015.

Applicable to all tax years beginning on and after Jan. 1, 2015.

(Amends Const. Art. VII, §4(A))