SLS 15RS-470 **ORIGINAL**

2015 Regular Session

SENATE BILL NO. 93

BY SENATOR ADLEY

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TAX/INCOME/PERSONAL. Prohibits the \$25 credit for educational expenses for each child attending elementary and secondary school if the tax deduction for payment of tuition and fees is taken. (gov sig)

AN ACT

| 2 | To amend and reenact R.S. 47:297(D)(1), relative to tax credits; to prohibit an education |
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| 3 | credit for those taking a certain deduction for tuition and fees; and to provide for |
| 4 | related matters. |
| 5 | Be it enacted by the Legislature of Louisiana: |
| 6 | Section 1. R.S. 47:297(D)(1) is hereby enacted to read as follows: |
| 7 | §297. Reduction to tax due |
| 8 | * * * |
| 9 | D. In addition to any other credits against the tax payable on net income |
| 10 | which the law allows to an individual taxpayer, the taxpayer shall be entitled to the |
| 11 | tax credit against the tax payable on net income provided for as follows: |
| 12 | (1) A taxpayer required to file a Louisiana tax return may claim a tax credit |
| 13 | for educational expenses incurred after January 1, 1988, for each child attending |
| 14 | kindergarten, elementary, or secondary school (kindergarten through twelfth grade), |
| 15 | if the child qualifies as a dependency exemption on the taxpayer's Louisiana income |
| 16 | tax return unless the deduction for the payment of tuition and fees for |
| 17 | elementary and secondary school tuition is taken for the child as provided for |

in R.S. 47:297.10.

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Section 2. The provisions of this Act shall be applicable to tax years beginning on and after January 1, 2015.

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

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Riley Boudreaux.

DIGEST 2015 Regular Session

SB 93 Original

Adley

<u>Present law</u> grants a maximum credit of \$25 for educational expenses incurred for each child attending kindergarten, elementary, or secondary school.

<u>Proposed law</u> disallows the credit if the deduction for the payment of tuition and fees for elementary and secondary school tuition is taken for the child as provided for in R.S. 47:297.10.

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

(Amends R.S. 47:297(D)(1))