

2015 Regular Session

HOUSE BILL NO. 606

BY REPRESENTATIVE BARROW

TAX/INCOME TAX: Requires the termination of all income tax credits

1 AN ACT

2 To amend and reenact R.S. 47:227, 265, 287.664, 297.2, the heading of 6005 and (D),

3 6007(C)(1), 6015(J), 6023(C)(1), and 6105, to enact R.S. 25:1226.4(D), R.S.

4 47:34(F), 35(E), 37(I), 287.748(D), 287.749(E), 287.752(D), 287.753(E), 287.755(I),

5 287.758(D), 297(Q), 297.4(C), 297.8(C), 297.9(D), 6004(C), 6005(G), 6006(E),

6 6006.1(G), 6008(D), 6009(F), 6012(F), 6013(D), 6014(F), 6015(K), 6016.1(N),

7 6017(C), 6018(F), 6022(K), 6025(D), 6032(H), 6034(K), 6035(H), 6036(K), 6037(I),

8 6104(D), 6106(E), and 6107(C), and R.S. 51:1787(K), 1807(F), 1924(H), 2354(D),

9 2399.3(C), and 3085(F), and to repeal R.S. 47:287.756, 287.759, 297(G),

10 6005(D)(2), 6010, 6028, 6029, and 6033, relative to tax credits; to provide for the

11 sunset of certain tax credits; to repeal certain tax credits; to provide for an effective

12 date; and to provide for related matters.

13 Be it enacted by the Legislature of Louisiana:

14 Section 1. Section 1. R.S. 25:1226.4(D) is hereby enacted to read as follows:

15 §1226.4. Tax exemptions and credits

16 * * *

17 D. Beginning January 1, 2018, no contracts shall be entered into for credits

18 pursuant to the provisions of this Section.

19 * * *

1 Section 2. R.S. 47:227, 265, 287.664, 297.2, the heading of 6005 and (D),
2 6007(C)(1), 6015(J), 6023(C)(1), and 6105 are hereby amended and reenacted and R.S.
3 47:34(F), 35(E), 37(I), 287.748(D), 287.749(E), 287.752(D), 287.753(E), 287.755(I),
4 287.758(D), 297(Q), 297.4(C), 297.8(C), 297.9(D), 6004(C), 6005(G), 6006(E), 6006.1(G),
5 6008(D), 6009(F), 6012(F), 6013(D), 6014(F), 6015(K), 6016.1(N), 6017(C), 6018(F),
6 6022(K), 6025(D), 6032(H), 6034(K), 6035(H), 6036(K), 6037(I), 6104(D), 6106(E), and
7 6107(C) are hereby enacted to read as follows:

8 §34. Corporation tax credit

9 * * *

10 F. The credit provided for pursuant to the provisions of this Section shall
11 terminate and shall have no effect beginning January 1, 2018.

12 * * *

13 §35. Neighborhood assistance tax credit

14 * * *

15 E. The credit provided for pursuant to the provisions of this Section shall
16 terminate and shall have no effect beginning January 1, 2018.

17 * * *

18 §37. Tax credit for contributions to educational institutions

19 * * *

20 I. The credit provided for pursuant to the provisions of this Section shall
21 terminate and shall have no effect beginning January 1, 2018.

22 * * *

23 §227. Offset against tax

24 A. Every insurance company shall be entitled to an offset against any tax
25 incurred under this Chapter, in the amount of any taxes, based on premiums, paid by
26 it during the preceding twelve months, by virtue of any law of this state.

27 B. The offset provided for pursuant to the provisions of this Section shall
28 terminate and shall have no effect beginning January 1, 2018.

29 * * *

1 §265. Credits arising from refunds by utilities

2 A. Whenever a utility refunds to its customers, pursuant to an order of a court
3 or regulatory agency as a result of the denial of a proposed rate increase, an amount
4 or amounts which, if taken as a deduction from gross income in the year paid or
5 accrued, would result in a net loss, then in lieu of such deduction the utility may elect
6 to take a credit against its Louisiana income tax in the amount of the income tax
7 increase which was the sole result of the inclusion of the amount or amounts
8 refunded in gross income in the year or years received irrespective of whether or not
9 the period of limitation provided in R.S. 47:1623 has expired for the year in which
10 the amount refunded was included in gross income. If this credit exceeds the income
11 tax that would be due the State of Louisiana in the year of the refund, computed
12 without the credit, then the excess of this credit may be carried over the following
13 two taxable years.

14 B. The credit provided for pursuant to the provisions of this Section shall
15 terminate and shall have no effect beginning January 1, 2018.

16 * * *

17 §287.664. Credits arising from refunds by utilities

18 A. Whenever a utility refunds to its customers, pursuant to an order of a court
19 or regulatory agency as a result of the denial of a proposed rate increase, an amount
20 or amounts which, if taken as a deduction from gross income in the year paid or
21 accrued, would result in a net loss, then in lieu of such deduction the utility may elect
22 to take a credit against its Louisiana income tax in the amount of the income tax
23 increase which was the sole result of the inclusion of the amount or amounts
24 refunded in gross income in the year or years received irrespective of whether or not
25 the period of limitation provided in R.S. 47:1623 has expired for the year in which
26 the amount refunded was included in gross income. If this credit exceeds the income
27 tax that would be due the state of Louisiana in the year of the refund, computed
28 without the credit, then the excess of this credit may be carried over the following
29 two taxable years.

1 B. The credit provided for pursuant to the provisions of this Section shall
2 terminate and shall have no effect beginning January 1, 2018.

3 * * *

4 §287.748. Corporation tax credit; re-entrant jobs credit

5 * * *

6 D. The credit provided for pursuant to the provisions of this Section shall
7 terminate and shall have no effect beginning January 1, 2018.

8 * * *

9 §287.749. Jobs credit

10 * * *

11 E. The credit provided for pursuant to the provisions of this Section shall
12 terminate and shall have no effect beginning January 1, 2018.

13 * * *

14 §287.752. Tax credit for employment of first-time nonviolent offenders

15 * * *

16 D. The credit provided for pursuant to the provisions of this Section shall
17 terminate and shall have no effect beginning January 1, 2018.

18 * * *

19 §287.753. Neighborhood assistance tax credit

20 * * *

21 E. The credit provided for pursuant to the provisions of this Section shall
22 terminate and shall have no effect beginning January 1, 2018.

23 * * *

24 §287.755. Tax credit for contributions to educational institutions

25 * * *

26 I. The credit provided for pursuant to the provisions of this Section shall
27 terminate and shall have no effect beginning January 1, 2018.

28 * * *

1 §287.758. Tax credit for bone marrow donor expense

2 * * *

3 D. The credit provided for pursuant to the provisions of this Section shall
4 terminate and shall have no effect beginning January 1, 2018.

5 * * *

6 §297. Reduction to tax due

7 * * *

8 Q. The credits provided for pursuant to the provisions of this Section shall
9 terminate and shall have no effect beginning January 1, 2018.

10 * * *

11 §297.2. Reduction to tax due

12 A. A person who maintains a household ~~which~~ that includes one or more
13 dependents who are physically or mentally incapable of caring for themselves may
14 take as a credit against the state income tax imposed by this Part the full amount of
15 a tax credit equal to the applicable percentage of employment-related expenses
16 allowable pursuant to Section 21 of the Internal Revenue Code. Any tax credit
17 otherwise allowed under this Section ~~which~~ that is not used by the taxpayer in a
18 particular year may be carried forward and offset against the taxpayer's tax liability
19 for the next succeeding tax year.

20 B. The credit provided for pursuant to the provisions of this Section shall
21 terminate and shall have no effect beginning January 1, 2018.

22 * * *

23 §297.4. Reduction to tax due; certain child care expenses

24 * * *

25 C. The credit provided for pursuant to the provisions of this Section shall
26 terminate and shall have no effect beginning January 1, 2018.

27 * * *

28 §297.8. Earned income tax credit

29 * * *

1 C. The credit provided for pursuant to the provisions of this Section shall
 2 terminate and shall have no effect beginning January 1, 2018.

3 * * *

4 §297.9. Reduction to tax due; amounts paid by certain military servicemembers and
 5 dependents for certain hunting and fishing licenses

6 * * *

7 D. The credit provided for pursuant to the provisions of this Section shall
 8 terminate and shall have no effect beginning January 1, 2018.

9 * * *

10 §6004. Employer credit

11 * * *

12 C. The credit provided for pursuant to the provisions of this Section shall
 13 terminate and shall have no effect beginning January 1, 2018.

14 §6005. Qualified new recycling manufacturing or process equipment ~~and/or~~ and
 15 service contracts

16 * * *

17 D.(1) The amount of the credit claimed in the taxable period for which
 18 certification of equipment is received, and the amount of credit claimed therefor in
 19 each taxable period thereafter, shall not exceed twenty percent of the amount of the
 20 total credit allowable. In no case shall the credit claimed exceed fifty percent of the
 21 tax liability which would be otherwise due for that taxable period. Any unused
 22 credit for a taxable year in which a credit is allowed may be carried forward to
 23 subsequent years until the credit is exhausted. Total credits certified by the secretary
 24 of the Department of Environmental Quality in any calendar year shall not exceed
 25 five million dollars.

26 ~~(2)(a) Notwithstanding any other provision of this Subsection to the contrary,~~
 27 ~~steelworks and blast furnaces, including coke ovens and rolling mills, which are~~
 28 ~~classified as SIC 3312 by the Standard Industrial Classification Code, may claim one~~
 29 ~~hundred percent of any credit and the total amount of any credit carry-forward~~

1 ~~provided for in this Section as provided in this Paragraph. If the credit or credit~~
2 ~~carry-forward claimed exceeds the amount of tax due by any such taxpayer, the~~
3 ~~amount of credit or credit-forward not used to offset taxes due shall be paid to the~~
4 ~~taxpayer from current collections of the taxes collected pursuant to Chapter 1 and~~
5 ~~Chapter 5 of Subtitle II of this Title.~~

6 (b) ~~The provisions of this Paragraph are applicable solely for credits for~~
7 ~~qualified recycling equipment certified by the secretary of the Department of~~
8 ~~Environmental Quality as provided in this Chapter on or before April 1, 1999. Any~~
9 ~~credit claimed pursuant to this Paragraph must be claimed by the taxpayer prior to~~
10 ~~July 1, 2002 and shall be payable solely and exclusively from current collections~~
11 ~~attributable to the state fiscal year commencing on July 1, 2001.~~

12 * * *

13 G. The credit provided for pursuant to the provisions of this Section shall
14 terminate and shall have no effect beginning January 1, 2018.

15 §6006. Tax credits for local inventory taxes paid

16 * * *

17 E. The credit provided for pursuant to the provisions of this Section shall
18 terminate and shall have no effect beginning January 1, 2018.

19 §6006.1. Tax credits for taxes paid with respect to vessels in Outer Continental
20 Shelf Lands Act Waters

21 * * *

22 G. The credit provided for pursuant to the provisions of this Section shall
23 terminate and shall have no effect beginning January 1, 2018.

24 §6007. Motion picture investor tax credit

25 * * *

26 C. Investor tax credit; specific productions and projects.

27 (1) ~~There~~ Until January 1, 2018, there is hereby authorized a tax credit
28 against state income tax for Louisiana taxpayers for investment in state-certified
29 productions. The tax credit shall be earned by investors at the time expenditures are

1 made by a motion picture production company in a state-certified production.
2 However, credits cannot be applied against a tax or transferred until the expenditures
3 are certified by the office and the secretary. For state-certified productions,
4 expenditures shall be certified no more than twice during the duration of a state-
5 certified production unless the motion picture production company agrees to
6 reimburse the office for the costs of any additional certifications. The tax credit shall
7 be calculated as a percentage of the total base investment dollars certified per
8 project.

9 * * *

10 §6008. Tax credits for donations made to assist playgrounds in economically
11 depressed areas

12 * * *

13 D. The credit provided for pursuant to the provisions of this Section shall
14 terminate and shall have no effect beginning January 1, 2018.

15 §6009. Louisiana Basic Skills Training Tax Credit

16 * * *

17 F. Sunset. The credit provided for pursuant to the provisions of this Section
18 shall terminate and shall have no effect beginning January 1, 2018.

19 * * *

20 §6012. Employer tax credits for donations of materials, equipment, advisors, or
21 instructors

22 * * *

23 F. The credit provided for pursuant to the provisions of this Section shall
24 terminate and shall have no effect beginning January 1, 2018.

25 §6013. Tax credits for donations made to public schools

26 * * *

27 D. The credit provided for pursuant to the provisions of this Section shall
28 terminate and shall have no effect beginning January 1, 2018.

1 §6014. Credit for property taxes paid by certain telephone companies; fund

2 * * *

3 F. The credit provided for pursuant to the provisions of this Section shall
4 terminate and shall have no effect beginning January 1, 2018.

5 §6015. Research and development tax credit

6 * * *

7 J. No credit shall be allowed pursuant to this Section for research
8 expenditures incurred or Small Business Innovation Research Grant Funds received
9 after ~~December 31, 2019~~ December 31, 2017.

10 K. The credit provided for pursuant to the provisions of this Section shall
11 terminate and shall have no effect beginning January 1, 2018.

12 * * *

13 §6016.1. Louisiana New Markets Jobs Act; premium tax credit

14 * * *

15 N. The credit provided for pursuant to the provisions of this Section shall
16 terminate and shall have no effect beginning January 1, 2018.

17 §6017. Tax credits for certain expenses paid by economic development
18 corporations

19 * * *

20 C. The credit provided for pursuant to the provisions of this Section shall
21 terminate and shall have no effect beginning January 1, 2018.

22 §6018. Tax credits for purchasers from "PIE contractors"

23 * * *

24 F. The credit provided for pursuant to the provisions of this Section shall
25 terminate and shall have no effect beginning January 1, 2018.

26 * * *

27 §6022. Digital interactive media and software tax credit

28 * * *

1 K. No project shall be certified to receive the credit authorized by this
2 Section after December 31, 2017. The credit provided for pursuant to the provisions
3 of this Section shall terminate and shall have no effect beginning January 1, 2018.

4 §6023. Sound recording investor tax credit

5 * * *

6 C. Investor tax credit; state-certified productions and infrastructure projects.

7 (1) Until January 1, ~~2020~~ 2018, there is hereby authorized a credit against the
8 state income tax for investments made in state-certified productions and state-
9 certified sound recording infrastructure projects. The tax credit shall be earned by
10 investors at the time expenditures are certified by the Louisiana Department of
11 Economic Development according to the total base investment certified for the sound
12 recording production company per calendar year; however, no credit shall be allowed
13 under this Section for any expenditures for which a credit was granted under R.S.
14 47:6007. For state-certified productions certified on and after July 1, 2007, and
15 state-certified infrastructure projects which have applied on or before August 1,
16 2009, each investor shall be allowed a tax credit of twenty-five percent of the base
17 investment made by that investor in excess of fifteen thousand dollars or, if a
18 resident of this state, in excess of five thousand dollars.

19 * * *

20 §6025. Tax credit for Louisiana Citizens Property Insurance Corporation assessment

21 * * *

22 D. The credit provided for pursuant to the provisions of this Section shall
23 terminate and shall have no effect beginning January 1, 2018.

24 * * *

25 §6032. Tax credit for certain milk producers

26 * * *

27 H. The credit provided for pursuant to the provisions of this Section shall
28 terminate and shall have no effect beginning January 1, 2018.

1 §6034. Musical and theatrical production income tax credit

2 * * *

3 K. Sunset. No project shall be certified to receive the credit authorized by
4 this Section after December 31, 2017. The credit provided for pursuant to the
5 provisions of this Section shall terminate and shall have no effect beginning January
6 1, 2018.

7 §6035. Tax credit for conversion of vehicles to alternative fuel usage

8 * * *

9 H. The credit provided for pursuant to the provisions of this Section shall
10 terminate and shall have no effect beginning January 1, 2018.

11 §6036. Ports of Louisiana tax credits

12 * * *

13 K. The credits provided for pursuant to the provisions of this Section shall
14 terminate and shall have no effect beginning January 1, 2018.

15 §6037. Tax credit for "green job industries"

16 * * *

17 I. The credit provided for pursuant to the provisions of this Section shall
18 terminate and shall have no effect beginning January 1, 2018.

19 * * *

20 §6104. Child care expense tax credit

21 * * *

22 D. The credit provided for pursuant to the provisions of this Section shall
23 terminate and shall have no effect beginning January 1, 2018.

24 §6105. Child care provider tax credit

25 A. There shall be a credit against any Louisiana individual or corporation
26 income tax or corporation franchise tax for a child care provider refundable as
27 provided for in R.S. 47:6108. The tax credit shall be an amount based upon the
28 average monthly number of children who either participate in the Child Care
29 Assistance Program administered by the office of children and family services in the

1 Department of Children and Family Services or who are foster children in the
2 custody of the Department of Children and Family Services, and who are attending
3 a child care facility or facilities operated by the child care provider, multiplied by an
4 amount which shall be based upon the quality rating of each child care facility
5 operated by the child care provider as follows:

6 Quality Rating of Child Care	Tax Credit Per
7 Facility	Eligible Child Attending
8 Five star	\$1,500
9 Four star	\$1,250
10 Three star	\$1,000
11 Two star	\$750
12 One star or nonparticipating facility	0

13 B. The credit provided for pursuant to the provisions of this Section shall
14 terminate and shall have no effect beginning January 1, 2018.

15 §6106. Credit for child care directors and staff

16 * * *

17 E. The credit provided for pursuant to the provisions of this Section shall
18 terminate and shall have no effect beginning January 1, 2018.

19 §6107. Business-supported child care

20 * * *

21 C. The credit provided for pursuant to the provisions of this Section shall
22 terminate and shall have no effect beginning January 1, 2018.

23 Section 3. R.S. 51:1787(K), 1807(F), 1924(H), 2354(D), 2399.3(C), and 3085(F) are
24 hereby enacted to read as follows:

25 §1787. Incentives

26 * * *

27 K. The incentives provided for pursuant to the provisions of this Section
28 shall terminate and shall have no effect beginning January 1, 2018.

29 * * *

1 §1807. Incentives

2 * * *

3 F. The credit provided for pursuant to the provisions of this Section shall
4 terminate and shall have no effect beginning January 1, 2018.

5 * * *

6 §1924. Income tax credit or premium tax reduction

7 * * *

8 H. The credit provided for pursuant to the provisions of this Section shall
9 terminate and shall have no effect beginning January 1, 2018.

10 * * *

11 §2354. Technology commercialization credit; amount; duration; forfeit

12 * * *

13 D. The credit provided for pursuant to the provisions of this Section shall
14 terminate and shall have no effect beginning January 1, 2018.

15 * * *

16 §2399.3. Modernization tax credit

17 * * *

18 C. The credit provided for pursuant to the provisions of this Section shall
19 terminate and shall have no effect beginning January 1, 2018.

20 * * *

21 §3085. Tax credit

22 * * *

23 F. The credit provided for pursuant to the provisions of this Section shall
24 terminate and shall have no effect beginning January 1, 2018.

25 Section 4. R.S. 47:287.756, 287.759, 297(G), 6005(D)(2), 6010, 6028, 6029, and
26 6033 are hereby repealed in their entirety.

27 Section 5. This Act shall become effective upon signature by the governor or, if not
28 signed by the governor, upon expiration of the time for bills to become law without signature
29 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

- 1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following such approval.

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)]

HB 606 Original

2015 Regular Session

Barrow

Abstract: Terminates all tax credits beginning Jan. 1, 2018, and repeals tax credits that have already expired.

Present law provides for the following income and corporation franchise tax credits:

- (1) R.S. 25:1226.4 Atchafalaya Trace Heritage Area Development Zone tax credit
- (2) R.S. 47:34 Corporation tax credit
- (3) R.S. 47:35 Neighborhood assistance tax credit
- (4) R.S. 47:37 Tax credit for contributions to educational institutions
- (5) R.S. 47:227 Offset against tax
- (6) R.S. 47:265 Credits arising from refunds by utilities
- (7) R.S. 47:287.664 Credits arising from refunds by utilities
- (8) R.S. 47:287.748 Corporation tax credit; re-entrant jobs credit
- (9) R.S. 47:287.749 Jobs credit
- (10) R.S. 47:287.752 Credit for employment of first-time nonviolent offenders
- (11) R.S. 47:287.753 Neighborhood assistance tax credit
- (12) R.S. 47:287.755 Credit for contributions to educational institutions
- (13) R.S. 47:287.758 Credit for bone marrow donor expenses
- (14) R.S. 47:297 Reduction to tax due
- (15) R.S. 47:297.2 Reduction to tax due
- (16) R.S. 47:297.4 Credit for certain child care expenses
- (17) R.S. 47:297.8 Earned income tax credit
- (18) R.S. 47:297.9 Credits for certain military servicemembers and dependents for hunting and fishing licenses
- (19) R.S. 47:6004 Employer Credit

- (20) R.S. 47:6005 Qualified new recycling manufacturing equipment and service contracts
- (21) R.S. 47:6006 Credits for local inventory taxes paid
- (22) R.S. 47:6006.1 Credits for taxes paid with respect to vessels in Outer Continental Shelf Lands Act Waters
- (23) R.S. 47:6007 Motion picture investor tax credit
- (24) R.S. 47:6008 Credits for donations to assist playgrounds in economically depressed areas
- (25) R.S. 47:6009 La. Basic Skills Training Tax Credit
- (26) R.S. 47:6012 Employer tax credits for donations of materials, equipment, advisors, or instructors
- (27) R.S. 47:6013 Credits for donations made to public schools
- (28) R.S. 47:6014 Credit for property taxes paid by certain telephone companies
- (29) R.S. 47:6015 Research and development tax credit
- (30) R.S. 47:6016.1 La. New Markets Jobs Act
- (31) R.S. 47:6017 Credits for expenses paid by economic development corporations
- (32) R.S. 47:6018 Credits for purchasers from "PIE contractors"
- (33) R.S. 47:6022 Digital interactive media and software tax credit
- (34) R.S. 47:6023 Sound recording investor tax credit
- (35) R.S. 47:6025 Credit for La. Citizens Property Insurance Corp. assessment
- (36) R.S. 47:6032 Credit for certain milk producers
- (37) R.S. 47:6034 Musical and theatrical production income tax credit
- (38) R.S. 47:6035 Credit for conversion of vehicles to alternative fuel usage
- (39) R.S. 47:6036 Ports of La. tax credits
- (40) R.S. 47:6037 Credit for "green job industries"
- (41) R.S. 47:6104 Child care expense tax credit
- (42) R.S. 47:6105 Child care provider tax credit
- (43) R.S. 47:6106 Credit for child care directors and staff
- (44) R.S. 47:6107 Business-supported child care
- (45) R.S. 51: 1787 Incentives (Enterprise Zone)
- (46) R.S. 51:1807 Incentives (Urban Revitalization)

- (47) R.S. 51:1924 Income tax credit or premium tax reduction
- (48) R.S. 51:2354 Technology commercialization credit; amount; duration; forfeit
- (49) R.S. 51:2399.3 Modernization tax credit
- (50) R.S. 51:3085 La. Community Development Financial Institution Act tax credit

SUNSET OF TAX CREDITS IN PRESENT LAW

Present law (R.S. 47:34) provides for an income tax credit to be used against the tax liability of corporate income taxpayers who generate new full-time and part-time jobs in the state. This tax credit is allowed in lieu of any tax exemptions granted pursuant to the La. Enterprise Zone Act, any ad valorem property tax exemptions for business or industry, or any ad valorem tax exemption allowed through the State Board of Commerce and Industry pursuant to present constitution. The credit is equal to the number of new employees multiplied by varying amounts.

Present law (R.S. 47:35) provides for an income tax credit against the state corporate income tax liability for any business firm engaged in certain activities of providing neighborhood assistance, job training, education for individuals, community services, or crime prevention in the state. Present law requires the business firm to submit a proposal with certain information relative to the project for approval by the commissioner of administration. A tax credit of up to 70% of the actual amount contributed is authorized, but the tax credit for any corporation shall not exceed \$250,000 annually.

Present law (R.S. 47:37) provides for an income tax credit against a taxpayer's tax liability for contributions, donations, or selling below cost tangible movable property to a public educational institution for the purposes of research, research training, or direct education of students in the state. The credit allowed is 40% of the property's value, or in the case of sale below cost, 40% of the difference between the price received and the value of the property.

Present law (R.S. 47:227) provides for an offset for every insurance company against any tax incurred for taxes on premiums.

Present law (R.S. 47:265 and 287.664) provides for an income tax credit for utility companies against La. income tax for amounts the utility company may have refunded to a customer pursuant to an order of the court or regulatory agency as a result of the denial of a proposed rate increase. The credit may be taken in lieu of a deduction from gross income if the deduction results in a net loss. The credit is equal to the amount of the income tax increase had the amounts refunded been included in the gross income.

Present law (R.S. 47:287.748) provides for an income tax credit against the corporate income tax liability for taxpayers who employ an eligible Intensive Incarceration Program re-entrant. The credit allowed is \$150 per eligible re-entrant employed, but shall not exceed 50% of the corporate income tax.

Present law (R.S. 287.749) provides for an income tax credit to be used against the tax liability of corporate income taxpayers who generate new full-time and part-time jobs in the state. This tax credit is allowed in lieu of any tax exemptions granted pursuant to the La. Enterprise Zone Act, any ad valorem property tax exemptions for business or industry, or any ad valorem tax exemption allowed through the State Board of Commerce and Industry pursuant to La. Const. Art. VII, Sec. 21(F). The credit is equal to the number of new employees multiplied by varying amounts.

Present law (R.S. 47:287.752) provides for an income tax credit for each taxpayer who provides full-time employment to an individual who has been convicted of a first-time nonviolent offense. Requires certification by the employee's probation officer that the

employee has successfully completed a drug treatment program, or any other court-ordered program, and that the employee has worked one hundred eighty days full-time for the employer seeking the credit. The credit allowed is \$200 per eligible employee per taxable year.

Present law (R.S. 47:287.753) provides for an income tax credit against the state corporate income tax liability for any business firm engaged in certain activities of providing neighborhood assistance, job training, education for individuals, community services, or crime prevention in the state. Present law requires the business firm to submit a proposal with certain information relative to the project for approval by the commissioner of administration. A tax credit of up to 70% of the actual amount contributed is authorized, but the tax credit for any corporation shall not exceed \$250,000 annually.

Present law (R.S. 47:287.755) provides for an income tax credit against a taxpayer's tax liability for contributions, donations, or selling below cost tangible movable property to a public educational institution for the purposes of research, research training, or direct education of students in the state. The credit allowed is computed at the rate of 40% of the property's value, or in the case of sale below cost, 40% of the difference between the price received and the value of the property.

Present law (R.S. 47:287.758) provides an income tax credit for taxpayers for certain bone marrow donor expenses. The amount of the credit is 25% of the bone marrow donor expenses incurred during the tax year by an employer to provide the program.

Present law (R.S. 47:297(A)) provides for a tax credit of \$100 for any taxpayer when the taxpayer, taxpayer's spouse, or dependent is deaf, blind, mentally incapacitated, or has lost the use of one or more limbs.

Present law (R.S. 47:297(B)) provides for a tax credit for the elderly, contributions to candidates for public office, investment credits, credits for foreign tax, work incentive credits, jobs credits, and residential credits. The amount of the credit is the lesser of \$25 or 10% of the same credit allowed on the federal income tax return for the same tax year.

Present law (R.S. 47:297(C)) provides for an income tax credit for individuals in an amount equal to the state gasoline and motor fuels tax and special fuels taxes paid to operate or propel a commercial fishing boat.

Present law (R.S. 47:297(D)) provides a \$25 income tax credit per child for individual taxpayers for educational expenses.

Present law (R.S. 47:297(F)) provides an income tax credit for individual taxpayers in an amount equal to 33.3% of the amount contributed to a family responsibility program under the provisions of present law. Further limits the credit to \$200 per year.

Present law (R.S. 47:297(H)) provides for an income tax credit for certain medical doctors and dentist who practice in designated rural areas. The credit allowed is \$5,000 per taxable year up to a maximum of 5 years for each taxpayer meeting the criteria.

Present law (R.S. 47:297(I)) provides an income tax credit for taxpayers for certain bone marrow donor expenses. The amount of the credit is 25% of the bone marrow donor expenses incurred during the tax year by an employer to provide the program.

Present law (R.S. 47:297(J)) provides an income tax credit for individual taxpayers for certain educational expenses associated with attending college. The amount of the credit is equal to the least of the tax due, or 100% of the educational expenses, or \$750.

Present law (R.S. 47:297(L)) provides an income tax credit for qualified taxpayers for the purchase of a bulletproof vest. Requires the qualified taxpayer to be a member of certain

law enforcement. The amount of the credit is the lesser of the full purchase price including applicable taxes paid by the taxpayer or \$100.

Present law (R.S. 47:297(M)) provides for an income tax credit against individual income tax for amounts paid as premiums for eligible long-term care insurance. The amount of the credit is equal to 10% of the total amount of premiums paid annually.

Present law (R.S. 47:297(N)) provides for an income tax credit against individual income tax equal to certain amounts incurred by a taxpayer for the taxpayer's travel or absence from work because of a living organ donation by the taxpayer or taxpayer's spouse. The maximum amount of the credit allowed is \$10,000.

Present law (R.S. 47:297(P)) provides for an income tax credit against individual income tax for inclusion of certain accessible and barrier-free design elements in the construction of a new one- or two- family dwelling. The amount of the credit is the lesser of \$1,000 or the total tax liability of the taxpayer.

Present law (R.S. 47:297.2) provides for an income tax credit for persons who maintain a household that includes one or more dependents who are physically or mentally incapable of caring for themselves. The amount of the credit is equal to the applicable percentage of employment-related expenses allowable pursuant to Section 21 of the IRC.

Present law (R.S. 47:297.4) provides for an income tax credit for individual taxpayers for certain child care expenses for which the individual is eligible for a federal income tax credit for the same year. The credit is allowed at varying amounts.

Present law (R.S. 47:297.8) provides for an income tax credit for individual income tax in an amount equal to 3.5% of the federal earned income tax credit for which the individual is eligible.

Present law (R.S. 47:297.9) provides for an income tax credit for individual income tax for the amount paid by an active or reserve military service member, or spouse or dependent of the service member, for a La. noncommercial hunting or fishing license.

Present law (R.S. 47:6004) provides for an income and corporation franchise tax credit for the employment of each person and participant of Family Independence Work Program in a newly created full-time job. The amount of the credit is \$750 and is allowed for the taxable period during which the new employee has completed one year of full-time service with the taxpayer or against the corporation franchise tax for the taxable period following the taxable period during which the new employee has completed one year of full-time service with the taxpayer.

Present law (R.S. 47:6005) provides an income tax or corporation franchise tax credit for taxpayers who purchase qualified new recycling manufacturing or process equipment or qualified service contracts to be used or performed exclusively in the state. The amount of the credit is 20% of the cost of the equipment or service contract less the amount of any other tax credit received for the purchase of the equipment or contract. Further provides an annual program cap of \$5M.

Present law (R.S. 47:6006) provides for an income or corporation franchise tax credit for ad valorem taxes paid to political subdivisions on inventory held by manufacturers, distributors, and retailers and on natural gas held, used, or consumed in providing natural gas storage services or operating natural gas storage facilities. The amount of the credit is equal to 100% of the inventory taxes paid to the political subdivision.

Present law (R.S. 47:6006.1) provides for an income or corporation franchise tax credit for ad valorem taxes paid without protest to political subdivisions on vessels in Outer

Continental Shelf Lands Act Waters. The amount of the credit is equal to 100% of the ad valorem taxes paid to the political subdivision.

Present law (R.S. 47:6007) provides for an income tax credit for La. taxpayers for investment in state-certified productions earned at the time expenditures are made by a motion picture production company in a state-certified production. The amount of the credit is equal to 30% of the base investment made by the investor if the total base investment is more than \$300,000. Additionally provides for a credit equal to 5% of base investment expended on payroll for La. residents employed in connection with a state-certified production. However, this credit does not apply to the payroll of any one person that exceeds \$1 million dollars.

Present law (R.S. 47:6008) provides for an income or corporation franchise tax credit for qualified donations made to qualified playgrounds. The amount of the credit is equal to the lesser of \$1,000 or one-half of the value of the cash, equipment, goods, or services donated.

Present law (R.S. 47:6009) provides for an income or corporation franchise tax credit for a La. business or industry that supports and encourages employee basic skills training by satisfying criteria established in present law and that submit proper and complete applications. The amount of the credit is \$250 per participating employee, with the total of all basic skills training credits not to exceed \$30,000 for any single business or industry enterprise in a particular tax year.

Present law (R.S. 47:6012) provides for an income and corporation franchise tax credit for employers within the state to donate materials, equipment, or instructors to public training providers, secondary and postsecondary vocational-technical schools, apprenticeship program registered with the La. Workforce Commission, or community colleges to assist in the development of training programs designed to meet industry needs. The amount of the credit is equal to 50% of the value of the donated materials, equipment, or services rendered by the instructor.

Present law (R.S. 47:6013) provides for a corporate income and corporation franchise tax credit for qualified donations made to a public school. The amount of the credit is equal to 40% of the appraised value of the qualified donation.

Present law (R.S. 47:6014) provides for an income and corporation franchise tax credit for ad valorem taxes paid to political subdivisions by a telephone company for the company's public service properties. The amount of the credit is equal to 40% of the aggregate ad valorem taxes paid by the telephone company to the political subdivision.

Present law (R.S. 47:6015) provides for an income and corporation franchise tax credit for taxpayers who employ persons in the state and claims a federal income tax credit for increasing research activities. The credit is allowed at varying amounts.

Present law (R.S. 47:6016.1) provides for the La. New Markets Jobs Act for purposes of a tax credit that may be claimed against insurance premium tax. Eligibility is based on the investment of private capital in a low-income community business in La. The amount of the credit is authorized in varying amounts.

Present law (R.S. 47:6017) provides for an income or corporation franchise tax credit for the filing fee paid to the La. State Bond Commission incurred by an economic development corporation in the preparation and issuance of bonds. The amount of the credit is equal to the amount of the filing fee paid.

Present law (R.S. 47:6019) provides for an income or corporation franchise tax credit for the amount of eligible costs and expenses incurred during the rehabilitation of a historic structure located in a downtown development district or a cultural district. The credit shall not exceed 25% of the eligible costs and expenses and no taxpayer shall claim more than

\$5M of credit annually for any number of structures rehabilitated within a particular downtown development or cultural district.

Present law (R.S. 47:6020) provides for an income tax credit for qualifying individual or entities that invest in a La. Entrepreneurial Business. The credit is equal to 35% of the qualified investment and the total amount of tax credits granted in any calendar tax year by the department shall not exceed \$5M. Present law further limits qualifying investments by an investor to those that do not exceed \$1M per year per business and to \$2M total per business.

Present law (R.S. 47:6022) provides for an income or franchise tax credit for La. taxpayers for investment in state-certified productions for digital interactive media earned at the time expenditures are made on a state-certified production. The amount of the credit is equal to 25% of the base investment made by the investor. Additionally provides for a credit equal to 10% of base investment expended on payroll for La. residents employed in connection with a state-certified production.

Present law (R.S. 47:6023) provides for an income or franchise tax credit for La. taxpayers for investment in state-certified productions for sound recordings earned at the time expenditures are made on a state-certified production. The amount of the credit is equal to 25% of the base investment made by the investor in excess of \$15K, or in excess of \$5K for investors who are La. residents. Additionally provides for a credit equal to 10% of base investment expended on payroll for La. residents employed in connection with a state-certified production. Present law provides an annual program cap of \$3M.

Present law (R.S. 47:6025) provides an income tax credit against La. income tax for the amount of surcharges, market equalization charges, or assessments paid by a taxpayer for the La. Citizens Property Insurance Corporation assessments levied due to Hurricanes Katrina and Rita.

Present law (R.S. 47:6032) provides for a refundable income and corporation franchise tax credit for a resident taxpayer engaged in the business of producing milk for sale. The amount of the credit is based on the production and sale of milk below the announced production price over a calendar year in accordance with a schedule provided in present law. Present law caps the total aggregate amount of credits for all producers at \$2.5M per calendar year and limits the credit allowed for each producer at varying amounts.

Present law (R.S. 47:6034) provides for an individual or corporate income tax credit for qualified production expenditures on investments in a state-certified musical or theatrical production or infrastructure project. For state-certified higher education musical or theatrical infrastructure projects that receive initial certification prior to Jan. 1, 2018, a base investment credit may be earned for expenditures made in the state on or before Jan. 1, 2022, for the construction, repair, or renovation of a new state-certified higher education musical or theatrical facility infrastructure project. No more than \$10M in tax credits are allowed per project and no more than \$60M is allowed for all state-certified higher education musical or theatrical infrastructure projects. The credit for an investor is granted in varying amounts.

Present law (R.S. 47:6035) provides for an income tax credit for qualified clean-burning motor vehicle fuel property purchased and installed on certain motor vehicles. The amount of the credit is equal to 50% of the cost of the qualified clean-burning motor vehicle fuel property.

Proposed law retains present law but reduces the amount of the credit from 50% to 45%.

Present law (R.S. 47:6036) provides for an income and corporate franchise tax credit for the total capital costs of a project sponsored or undertaken by a public port and investing companies that have a capital cost of at least \$5 million dollars and at which the predominant trade or business activity conducted will constitute industrial, warehousing, or port and

harbor operations and cargo handling, including any port or port and harbor activity. The amount of the investor tax credit is equal to the total amount of capital costs of the project which shall be taken at 5% per tax year. The amount of the import-export cargo tax credit is equal to the product of multiplying \$5 by the taxpayer's number of tons of qualified cargo for the taxable year that exceeds the precertification tonnage.

Present law (R.S. 47:6037) provides an individual income or corporate income tax credit for approved expenditures in the state for the construction, repair, or renovation of a state-certified green project. Present law further provides a \$1M per project cap and a \$5M annual program cap. The credit allowed is at varying amounts.

Present law provides for an additional tax credit of 10% of the base investment expended on payroll for La. residents employed in connection with the construction of a state-certified green project. The additional 10% tax credit for payroll for La. residents does not apply to that amount in excess of \$1M in payroll made to a single La. resident. Further allows an additional 1% of the base investment expended on payroll for La. residents who are graduates of certain La. programs.

Present law (R.S. 47:6104) provides for an individual income tax credit for child care expenses based on the quality rating of the child care facility which the child attends. The amount of the credit is a percentage of a credit provided for in present law and varies depending on the quality rating of the child care facility.

Present law (R.S. 47:6105) provides for a refundable income or corporation franchise tax credit for child care providers. The amount of the credit is equal to an amount based upon the average monthly number of children who either participate in the Child Care Assistance Program or who are foster children in the custody of the DCFS, and who are attending a child care facility or facilities operated by the child care provider, multiplied by an amount that is based upon the quality rating of each child care facility operated by the child care.

Present law (R.S. 47:6106) provides for a refundable individual income tax credit for eligible child care directors and eligible child care staff. The amount of the credit varies based upon the qualifications of the provider.

Present law (R.S. 47:6107) provides for a refundable income tax or corporation franchise tax credit for eligible business child care expenses supported by a business. The amount of the credit shall be based on a percentage of eligible business child care expenses depending upon the quality rating of the child care facility to which the expenses are related or the quality rating of the child care facility the child attends. Present law provides for an additional refundable income or corporation franchise tax for the payment by a business of fees and grants to child care resource and referral agencies not to exceed \$5,000 per tax year.

Present law (R.S. 51:1787) provides for a refundable investment income tax credit for state income tax liability or state corporate franchise tax liability for qualified expenditures made by a taxpayer in the economic development of qualified enterprise zones. The amount of the credit is 1.5% of the amount of the qualified expenditure. An additional credit of \$2,500 is allowed for each net new employee. A \$5,000 credit for each new job created is allowed for certain specific industries in lieu of this \$2,500 credit.

Present law (R.S. 51:1807) provides for an income or franchise tax credit for businesses located in an urban revitalization zone. The credit is equal to \$5,000 per net new employee. The credit received pursuant to present law is in lieu of any incentive received under the Enterprise Zone Program.

Present law (R.S. 51:1924) provides an income tax credit for a taxpayer who invests in the certified capital of a certified La. capital company. The credit is equal to 35% of the taxpayer's cash investment.

Present law (R.S. 51:2354) provides an income and corporation franchise tax credit for investments by the taxpayer in commercialization costs for certain business locations. The amount of the credit is equal to 40% of the amount of money invested. Further provides a credit for qualified new direct jobs. The credit is equal to 5% multiplied by the gross payroll of the qualified new direct jobs.

Present law (R.S. 51:2399.3) provides for an income or corporation franchise tax credit for amounts of qualified expenditures incurred by an employer for modernization. The amount of the credit is equal to 5% of the amount of qualified expenditures. Further provides an annual program cap of \$10M.

Present law (R.S. 51:3085) provides for an income tax credit for investments in a La. Community Development Financial Institution at a rate of 75% of the taxpayer's investment.

Proposed law terminates the credits in present law beginning Jan. 1, 2018.

REPEAL OF EXPIRED TAX CREDITS

Present law (R.S. 47:287.756) provides a corporation income tax credit for the purchase of certain environmental equipment designed to recover or recycle chlorofluorocarbons used as refrigerants in commercial, home, and automobile air-conditioning systems, refrigeration units, and industrial cooling applications.

Present law (R.S. 47:287.759) provides for an income tax credit against the income tax for the period in which the credit was earned for certain contractors or subcontractors who contract to do public work. Present law allows a credit of 5% on 40% of the amount of the contract to do public work if the contractor or subcontractor offers 85% of their full-time employees health insurance coverage and pays 75% of the total premium for the health insurance coverage for each employee and not less than 50% for each dependent. Further limits the amount of the credit to not more than \$3M per year.

Present law (R.S. 47:297(G)) provides for an income tax credit for taxpayers who purchase certain environmental equipment designed to recover or recycle chlorofluorocarbons used as refrigerants in commercial, home, and automobile air-conditioning systems, refrigeration units, and industrial cooling applications. The credit allowed is 20% of the purchase price of the equipment, or if the equipment is financed, 20% of the original purchase price paid in that tax year.

Present law (R.S. 47:6005(D)(2)) provides for an income tax credit for taxpayers for the purchase of qualified new recycling manufacturing or processing equipment. Further provides a credit of 100% of the purchase price for steelworks and blast furnaces, including coke ovens and rolling mills that are classified as SIC 312 by the Standard Industrial Classification Code. Limited application to claims made by the taxpayer prior to July 1, 2002.

Present law (R.S. 47:6010) provides an income tax credit for employers who provided certain qualified alcohol or substance abuse treatment programs to their employees.

Present law (R.S. 47:6028) provides an income or corporation franchise tax credit for the amount of any overpayment made by a taxpayer with gross receipts from business of \$500,000 or less as a result of failing to claim any inventory tax credit between tax years 1999 through 2002 for income taxes and 2000 through 2003 for corporation franchise taxes.

Present law (R.S. 47:6029) provides an income or corporation franchise tax for the purchase of an eligible sugarcane trailer to replace an ineligible sugarcane trailer as provided for in present law. The credit is allowed in varying amounts.

Present law (R.S. 47:6033) provides an individual or corporation income tax or corporation franchise tax credit for employers who employ an eligible apprentice as defined in present law. The amount of the credit is equal to one dollar for each hour of employment of each eligible apprentice.

Proposed law repeals present law.

(Amends R.S. 47:227, 265, 287.664, 297.2, the heading of 6005 and (D), 6007(C)(1), 6015(J), 6023(C)(1), and 6105; Adds R.S. 25:1226.4, R.S. 47:34(F), 35(E), 37(I), 287.748(D), 287.749(E), 287.752(D), 287.753(E), 287.755(I), 287.758(D), 297(Q), 297.4(C), 297.8(C), 297.9(D), 6004(C), 6005(G), 6006(E), 6006.1(G), 6008(D), 6009(F), 6012(F), 6013(D), 6014(F), 6015(K), 6016.1(N), 6017(C), 6018(F), 6022(K), 6025(D), 6032(H), 6034(K), 6035(H), 6036(K), 6037(I), 6104(D), 6106(E), and 6107(C), and R.S. 51:1787(K), 1807(F), 1924(H), 2354(D), 2399.3(C), and 3085(F); Repeals R.S. 47:287.756, 287.759, 297(G), 6005(D)(2), 6010, 6028, 6029, and 6033)