

2021 Regular Session

SENATE BILL NO. 239

BY SENATOR JOHNS

TAX/INCOME/PERSONAL. Modifies the federal income tax deduction for taxpayers impacted by 2021 hurricanes. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 47:293(4)(e), relative to the definition of federal income tax
3 liability for individual income taxpayers impacted by the 2021 hurricanes; to provide
4 relief for taxpayers using the federal standard deduction; to include taxpayers
5 affected by Hurricane Zeta; to clarify the applicability of the relief provided; to
6 provide for effectiveness; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 47:293(4)(e) is hereby amended and reenacted to read as follows:

9 §293. Definitions

10 The following definitions shall apply throughout this Part, unless the context
11 requires otherwise:

12 * * *

13 (4) "Federal income tax liability", for the purpose of this Part, means the total
14 amount of tax due to the United States for the taxable period on the individual
15 income tax return required to be filed by any taxpayer, except that:

16 * * *

17 (e) For taxable periods beginning after December 31, 2018, and before

1 January 1, 2021, federal income tax liability shall be increased by the amount by
 2 which an individual's federal income tax due to the United States for the taxable
 3 period was decreased as a result of claiming **the increased federal standard**
 4 **deduction or** the federal itemized deduction for certain net disaster losses
 5 attributable to Hurricane Laura ~~or Hurricane Delta~~, **Hurricane Delta, or Hurricane**
 6 **Zeta**.

7 * * *

8 Section 2. The provisions of this Act shall be given prospective and retroactive
 9 application.

10 Section 3. This Act shall become effective upon signature by the governor or, if not
 11 signed by the governor, upon expiration of the time for bills to become law without signature
 12 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 13 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 14 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 Leonore Heavey.

DIGEST

SB 239 Original

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Johns

Present law increases an individual income taxpayer's federal tax liability for purposes of the federal income tax deduction by the amount by which the taxpayer's federal income tax was reduced by claiming disaster losses attributable to Hurricanes Laura and Delta as an itemized deduction on the federal return.

Proposed law increases an individual income taxpayer's federal tax liability for purposes of the federal income tax deduction by the amount by which the taxpayer's federal income tax was reduced by using the increased federal standard deduction for disaster losses.

Proposed law adds losses associated with Hurricane Zeta to the losses to which present law and proposed law apply.

Proposed law applies prospectively and retroactively.

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

(Amends R.S. 47:293(4)(e))