

2016 Regular Session

HOUSE RESOLUTION NO. 207

BY REPRESENTATIVE THIBAUT

A RESOLUTION

To urge and request the secretary of the Department of Revenue to notify each taxpayer whose solar energy systems tax credit claim is pending his priority position within the credit caps established for Fiscal Year 2016-2017 and Fiscal Year 2017-2018.

WHEREAS, R.S. 47:6030 authorizes a refundable income tax credit for the cost of purchase and installation of a solar electric system through December 31, 2017; and

WHEREAS, Act No. 131 of the 2015 Regular Session of the Legislature established a credit cap that set the maximum amount of solar energy systems tax credits that may be granted by the department; and

WHEREAS, \$10,000,000 of tax credits may be granted for tax credits claimed on returns filed on or after July 1, 2015, and before July 1, 2016; and

WHEREAS, \$10,000,000 of tax credits may be granted for tax credits claimed on returns filed on or after July 1, 2016, and before July 1, 2017; and

WHEREAS, \$5,000,000 of tax credits may be granted for tax credits claimed on returns filed on or after July 1, 2017; and

WHEREAS, the tax credits are required to be granted on a first-come, first-served basis and, in the event the total amount of tax credits claimed in any particular fiscal year exceeds the amount authorized to be granted, the excess requests shall be treated as having been applied for on the first day of the subsequent year and the taxpayer may claim such tax credits by filing an original return in the subsequent fiscal year during which the taxpayer's claim has priority; and

WHEREAS, as of April 30, 2016, the Department of Revenue reports on its website that approximately \$9,301,233 in tax credits for Fiscal Year 2015-2016 have been approved against the first \$10,000,000 cap and approximately \$27,555,655 in additional claims for Fiscal Year 2015-2016 are pending review; and

WHEREAS, the amount of claims pending review for Fiscal Year 2015-2016 exceed the aggregate \$25,000,000 tax credit program cap established by Act No. 131 of the 2015 Regular Session of the Legislature for the solar energy systems tax credit; and

WHEREAS, taxpayers are faced with uncertainty with respect to whether their claim will have priority in the second \$10,000,000 cap, the final \$5,000,000 cap, or whether their claim lies outside the aggregate \$25,000,000 tax credit program cap.

THEREFORE, BE IT RESOLVED that the House of Representatives of the Legislature of Louisiana does hereby urge and request the secretary of the Department of Revenue to notify each taxpayer whose claim is pending his priority position within the tax credit caps established for Fiscal Year 2016-2017 and Fiscal Year 2017-2018.

BE IT FURTHER RESOLVED that a suitable copy of this Resolution be transmitted to the secretary of the Department of Revenue.

SPEAKER OF THE HOUSE OF REPRESENTATIVES