
HOUSE COMMITTEE AMENDMENTS

2017 Regular Session

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 361 by Representative Ivey

1 AMENDMENT NO. 1

2 On page 1, line 2, after "To" delete the remainder of the line in its entirety and delete lines
3 3 and 4 in their entirety and insert the following:

4 "amend and reenact R.S. 47:601(A), (B), and (C)(2) and to enact R.S. 47:611(C),
5 relative to the corporate franchise tax; to provide for the rate of the corporate
6 franchise tax; to provide for a reduction and eventual elimination of the corporate
7 franchise tax; to prohibit the levy of an initial tax under certain circumstances; to
8 provide for applicability; to provide for an effective date; and to provide for related
9 matters."

10 AMENDMENT NO. 2

11 On page 1, line 6, after "Section 1." delete the remainder of the line in its entirety and delete
12 lines 7 through 9 in their entirety and insert the following:

13 "R.S. 47:601(A), (B), and (C)(2) are hereby amended and reenacted and R.S.
14 47:611(C) is hereby enacted to read as follows:

15 §601. Imposition of tax

16 A. (1) Except as provided in Paragraph (2) of this Subsection, every
17 ~~Every~~ domestic corporation and every foreign corporation, exercising its charter, or
18 qualified to do business or actually doing business in this state, or owning or using
19 any part or all of its capital, plant, or any other property in this state, subject to
20 compliance with all other provisions of law, except as otherwise provided for in this
21 Chapter shall pay an annual tax at the rate of one dollar and fifty cents for each one
22 thousand dollars, or major fraction thereof on the first three hundred thousand dollars
23 of taxable capital and at the rate of three dollars for each one thousand dollars, or
24 major fraction thereof, which exceeds three hundred thousand dollars of taxable
25 capital. Taxable capital shall be determined as hereinafter provided. The tax levied
26 herein is due and payable on any one or all of the following alternative incidents:

27 ~~(1)~~(a) The qualification to carry on or do business in this state or the actual
28 doing of business within this state in a corporate form. The term "doing business"
29 as used herein shall mean and include each and every act, power, right, privilege, or
30 immunity exercised or enjoyed in this state, as an incident to or by virtue of the
31 powers and privileges acquired by the nature of such organizations, as well as, the
32 buying, selling, or procuring of services or property.

33 ~~(2)~~(b) The exercising of a corporation's charter or the continuance of its
34 charter within this state.

35 ~~(3)~~(c) The owning or using any part or all of its capital, plant, or other
36 property in this state whether owned directly or indirectly by or through a
37 partnership, joint venture, or any other business organization of which the domestic
38 or foreign corporation is a related party as defined in R.S. 47:605.1.

39 (2) The tax levied pursuant to the provisions of this Chapter shall be limited
40 to the following percentages of the amount otherwise levied pursuant to the
41 provisions of this Chapter:

