
DIGEST

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HB 359 Engrossed

2017 Regular Session

Ivey

Abstract: Changes the rates and brackets for purposes of calculating individual income tax liability from a graduated rate system to a single flat rate of 4% and further authorizes a reduction to a flat 3% if certain conditions are met and modifies certain credits and deductions.

Present law provides for a tax to be assessed, levied, collected, and paid upon the taxable income of an individual at the following rates:

- (1) 2% on the first \$12,500 of net income;
- (2) 4% on the next \$37,500 of net income;
- (3) 6% on net income in excess of \$50,000.

Proposed law reduces individual income tax rates as follows:

- (1) From 2% on the first \$12,500 of net income to 0% on the first \$12,500 of net income.
- (2) From 4% on the next \$37,500 of net income and 6% on net income in excess of \$50,000 to 4% on net income in excess of \$12,500.

Present law provides that in cases where taxpayers file a joint return of husband and wife, the combined tax shall be twice the combined tax of single filers.

Proposed law retains present law.

Present law provides that all personal exemptions and deductions for dependents allowed in determining federal income tax liability shall be allowed in determining La. tax liability. Further provides for a combined personal exemption of \$4,500 for single, individual filers, \$9,000 for married, joint filers, \$4,500 for married, separate filers, and \$9,000 for filers who are the head of household.

Proposed law repeals present law.

Present law authorizes a credit of \$400 for each dependent who meets certain criteria.

Proposed law repeals present law.

Present law authorizes an additional deduction of \$1,000 for each allowable exemption in excess of those required to qualify for the exemption allowable under present law.

Proposed law repeals present law.

Present law requires the secretary to establish tax tables that calculate the tax owed by taxpayers based upon where their taxable income falls within a range that does not exceed \$250. Further requires the secretary to provide in the tax tables the combined personal exemption, standard deduction, and other exemption deductions in present law which is deducted from the 2% bracket. If the combined exemptions and deductions exceed the 2% bracket, the excess is deducted from the 4% bracket, and then the 6% bracket.

Proposed law deletes the provisions authorizing the combined personal exemption, standard deduction, and other exemption deductions to be deducted from the income tax brackets.

Present law authorizes a deduction from individual income taxes for excess federal itemized personal deductions. Excess federal itemized personal deductions is defined to mean 100% of the amount by which the federal itemized personal deductions exceed the amount of federal standard deduction designated for the filing status used for the taxable period on the individual income tax return.

Proposed law changes present law to limit the deduction to charitable contributions in excess of the first \$12,500 of excess federal itemized personal deductions for single filers and \$25,000 for taxpayers filing joint returns.

Present law provides for an individual income tax credit in an amount equal to 3.5% of the amount of the taxpayer's federal earned income tax credit authorized under Section 32 of the Internal Revenue Code.

Proposed law increases the amount of the state credit from 3.5% to 7% of the federal tax credit.

Applicable to all taxable periods beginning on and after Jan. 1, 2018.

Proposed law with respect to the reduction in the individual income tax rate to a flat 4% rate shall be effective on Jan. 1, 2018. Proposed law provides for the further reduction of the flat individual income tax rate from 4% to a flat rate of 3% if the proposed amendment of Article VII of the Constitution of La. contained in the Act which originated as House Bill No. 356 of the 2017 R.S. of the Legislature is adopted at a statewide election and becomes effective.

Effective Jan. 1, 2018, if the proposed amendment of Article VII of the Constitution of Louisiana contained in the Act which originated as HB No. 356 of this 2017 R.S. of the Legislature is adopted at a statewide election and becomes effective and if the Acts which originated as HB Nos. 357, 358, 360, 361, 362, 363, and 364 of this 2017 R.S. of the Legislature are enacted and become effective.

(Amends R.S. 47:32(A), 79, 293(3)(intro. para.), 295(B), 297.8(A); Repeals R.S. 47:294)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Ways and Means to the original bill:

1. Adds contingent effectiveness on Jan. 1, 2018, for proposed law if the proposed amendment of Article VII, contained in the Act that originated as HB No. 356 of this 2017 R.S. of the Legislature is adopted at a statewide election and HB Nos. 357, 358, 360, 361, 362, 363, and 364 of this 2017 R.S. become effective.