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**SENATE COMMITTEE AMENDMENTS**

2017 Regular Session

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 425 by Representative Magee

AMENDMENT NO. 1

On page 1, line 2, delete "and (F)" and insert "(F), and (G)"

AMENDMENT NO. 2

On page 1, line 8, delete "and (F)" and insert "(F), and (G)"

AMENDMENT NO. 3

On page 2, line 10, after "F." insert "(1)"

AMENDMENT NO. 4

On page 2, delete lines 13 through 23, and insert:

"taxes. Further, nothing in this Section shall affect,"

AMENDMENT NO. 5

On page 3, between lines 2 and 3, insert:

"(2)(a) If a taxpayer pays ad valorem taxes under protest, the taxpayer shall notify the Department of Revenue by submitting a copy of the payment under protest notice, along with a copy of the lawsuit that was filed. Notice shall be provided to the Department within five business days of the date the lawsuit is filed. If the taxpayer prevails in the suit against the political subdivision, the amount of the credit issued under the provisions of this Section for ad valorem taxes paid by the taxpayer that the court determined not to be due shall be subject to recapture by the Department of Revenue as provided for in R.S. 47:1621(E). The taxpayer and the local taxing authorities shall notify the Department by submitting a copy of the final judgment to the Department.

(b)Notwithstanding any provision of law to the contrary, no interest shall accrue on the recaptured tax credit if the taxpayer pays the entire balance due within thirty days of the date of the final judgment. Any action by the Department of Revenue to recapture the tax credits shall be initiated within two years from the date that the Department receives notice of the final judgment in the suit related to the payment of the taxes under protest."

AMENDMENT NO. 6

On page 3, line 3, delete the asterisks "\*" \* \*" and insert:

"G. Commencing no later than January 31, 2016, the House Committee on Ways and Means and the Senate Committee on Revenue and Fiscal Affairs shall review the credit authorized pursuant to the provisions of this Section to determine if the economic benefit provided by such credit outweighs the loss of revenue realized by the state as a result of awarding such credit. The House and Senate committees shall make a specific recommendation no later than March 1, 2017, to either continue the credit or to terminate the credit. Notwithstanding any contrary provision of this Section, taxes paid under protest based upon a question of applicability of the international trade exemption in Article VII, Section 21(C)(16) of the Constitution of Louisiana or any other rights, exemptions, preemptions, or peremptions under the Constitution of Louisiana, shall be ineligible for the credit authorized under this Section."