

SENATE BILL NO. 177

BY SENATOR MORRELL

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AN ACT

To amend and reenact R.S. 47:164(D)(2)(b), to provide for employee compensation eligible as a production expense for purposes of the tax credit; to provide for applicable rates of withholding tax; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:164(D)(2)(b) is hereby amended and reenacted to read as follows:

§164. Information at source

\* \* \*

D. Withholding of tax at source.

\* \* \*

(2) \* \* \*

(b) Any motion picture production company, motion picture payroll services company, or other entity making or causing to be made payments as provided in Subparagraph (a) of this Paragraph, to an individual, or to an agent or agency, loan-out company, personal service company, employee leasing company, or other entity is considered to be paying compensation taxable by the state of Louisiana. For purposes of eligibility as a production expenditure, the ~~company or other entity~~ **payor** shall withhold taxes from those payments, **excluding any amount that is otherwise not subject to the withholding requirements imposed pursuant to federal and state laws and regulations,** at the ~~highest individual rate of six percent rate determined in accordance with an employee's withholding allowance certificate, L-4,~~ or the highest individual rate in effect at the time **if there is no employee withholding allowance certificate,** and **shall** remit these payments to the department quarterly, ~~excluding any amount that would otherwise not be subject to~~

