

CONFERENCE COMMITTEE REPORT

SB 41

2023 Regular Session

Mizell

June 8, 2023

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill No. 41 by Senator Mizell, recommend the following concerning the Reengrossed bill:

1. That House Committee Amendments Nos. 1 through 11 proposed by the House Committee on Appropriations and adopted by the House of Representatives on June 5, 2023, be adopted.
2. That House Committee Amendment No. 12 proposed by the House Committee on Appropriations and adopted by the House of Representatives on June 5, 2023, be rejected.
3. That the set of House Legislative Bureau Amendments proposed and adopted by the House of Representatives on June 5, 2023, be adopted.
4. That the set of House Floor Amendments, designated as #4169, proposed by Representative Deshotel and approved by the House of Representatives on June 7, 2023, be rejected.
5. That the set of House Floor Amendments, designated as #4171, proposed by Representative Edmonston and approved by the House of Representatives on June 7, 2023, be adopted.

Respectfully submitted,

Senators:

Representatives:

Senator Beth Mizell

Representative Stuart J. Bishop

Senator R. L. Bret Allain II

Representative Kathy Edmonston

Senator Regina Ashford Barrow

Representative Valarie Hodges

The legislative instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Emily Toler.

CONFERENCE COMMITTEE REPORT DIGEST

SB 41

2023 Regular Session

Mizell

Keyword and summary of the bill as proposed by the Conference Committee

TAX/TAXATION. Establishes a tax credit for certain maternal wellness centers. (8/1/23)

Report rejects House amendments which would have:

1. Repealed the credit for property taxes paid by certain telephone companies.
2. Provided that proposed law would only be applicable to income tax periods beginning on or after the effective date or January 1, 2025, whichever is later.
3. Provided that proposed law shall become effective on the effective date of an Act of the legislature containing a specific appropriation of monies for implementation of the administration of proposed law.
4. Makes technical changes.

Digest of the bill as proposed by the Conference Committee

Proposed law authorizes a credit against Louisiana income tax for qualified donations made to an eligible maternal wellness center. The credit shall be an amount equal to 50% of the donation and taken for the taxable year in which the donation is made. The total amount of the credits taken by any taxpayer during any taxable year shall not exceed \$5,000.

Proposed law limits the total amount of the tax credits granted by the Department of Revenue (DOR) in any calendar year to \$5,000,000.

Proposed law grants credits on a first-come, first-served basis, with no more than 20% of the total tax credits available allocated for contributions to a single maternal wellness center. Proposed law prohibits credits for donations made to eligible maternal wellness centers before January 1, 2025, or after December 31, 2030.

Proposed law requires the Louisiana Department of Health (LDH) to establish and maintain a voluntary registry of eligible maternal wellness centers and make the list available to the public on its website.

Proposed law requires LDH to create an electronic or downloadable registration form for eligible maternal wellness centers. An eligible maternal wellness center may voluntarily register with LDH by completing and submitting the registration form.

Proposed law requires LDH to formulate a list of registered eligible maternal wellness centers based solely on the registration forms submitted to LDH.

Proposed law prohibits the list from including any organization involved in, or associated with counseling for, or referrals to, abortion clinics, providing medical abortion-related procedures, or pro-abortion advertising.

Proposed law provides that LDH shall have no regulatory authority over registered eligible maternal wellness centers and shall not be required to verify the eligibility of an eligible maternal wellness center.

Proposed law requires LDH to post a link on its website that contains an overview of available resources, including but not limited to, information on Louisiana Medicaid services, the Special Supplemental Nutrition Program for Women, Infants and Children, parish health unit services, and locations of parish health units.

Proposed law requires registered eligible maternal wellness centers to submit an annual report to LDH and DOR no later than Feb. 1 of each year and include a comprehensive status report on the maternal wellness center's services, activities, expenditures, and goals and objectives achieved.

Proposed law provides for the recapture of credits if DOR finds that a taxpayer has obtained a tax credit in violation of the provisions of proposed law.

Proposed law requires DOR to promulgate rules for the purpose of administering the tax credit in accordance with the provisions of Administrative Procedure Act (APA).

Proposed law provides that the rules promulgated by DOR are subject to oversight by the Senate Committee on Revenue and Fiscal Affairs and the House Committee on Ways and Means in accordance with the APA.

Proposed law authorizes LDH to promulgate rules necessary for the implementation of proposed law in accordance with the provisions of the APA.

Proposed law provides that the rules promulgated by LDH are subject to oversight by the Senate Committee on Health and Welfare and the House Committee on Health and Welfare in accordance with the APA.

Proposed law is applicable to taxable periods on or after January 1, 2025.

Effective August 1, 2023.

(Adds R.S. 47:6111-6116)