

First Extraordinary Session, 2005

HOUSE BILL NO. 47

BY REPRESENTATIVE SCHNEIDER

TAX/INCOME-CREDIT: Authorizes an individual income tax credit for disaster-related casualty losses

1 AN ACT

2 To enact R.S. 47:297(P), relative to the individual income tax; to provide for a credit for
3 certain disaster-related casualty losses; to provide for an effective date; and to
4 provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 47:297(P) is hereby enacted to read as follows:

7 §297. Reduction to tax due

8 * * *

9 P.(1) The tax as determined in this Part for the tax year shall be reduced by
10 the lesser of the tax due or a credit of three percent of disaster-related casualty losses
11 allowed on the taxpayer's federal income tax return for the same tax year.

12 (2) Definitions. For purposes of this Section, the following definitions shall
13 apply:

14 (a) "Disaster-related casualty losses" means those casualty losses which
15 arose in the Hurricane Katrina disaster area on or after August 29, 2005, and which
16 are attributable to Hurricane Katrina or which arose in the Hurricane Rita disaster
17 area on or after September 23, 2005, and which are attributable to Hurricane Rita.

18 (b) "Hurricane Katrina disaster area" means an area with respect to which
19 a major disaster has been declared by the president under Section 401 of the Robert

1 T. Stafford Disaster Relief and Emergency Assistance Act by reason of Hurricane
2 Katrina.

3 (c) "Hurricane Rita disaster area" means an area with respect to which a
4 major disaster has been declared by the president under Section 401 of the Robert T.
5 Stafford Disaster Relief and Emergency Assistance Act by reason of Hurricane Rita.

6 Section 2. This Act shall become effective upon signature by the governor or, if not
7 signed by the governor, upon expiration of the time for bills to become law without signature
8 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
9 vetoed by the governor and subsequently approved by the legislature, this Act shall become
10 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

Schneider

HB No. 47

Abstract: Authorizes an individual income tax credit for disaster-related casualty losses.

Proposed law authorizes a tax credit for disaster-related casualty losses equal to the lesser of the state income tax due or 3% of disaster-related casualty losses allowed on the taxpayer's federal income tax return.

Proposed law defines terms as follows:

- (1) "Disaster-related casualty losses" means those casualty losses which arose in the Hurricane Katrina disaster area on or after August 29, 2005, and which are attributable to Hurricane Katrina or which arose in the Hurricane Rita disaster area on or after September 23, 2005, and which are attributable to Hurricane Rita.
- (2) "Hurricane Katrina disaster area" means an area with respect to which a major disaster has been declared by the president under Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of Hurricane Katrina.
- (3) "Hurricane Rita disaster area" means an area with respect to which a major disaster has been declared by the president under Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of Hurricane Rita.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 47:297(P))