

First Extraordinary Session, 2005

HOUSE BILL NO. 24

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, DORSEY, PINAC, ARNOLD, BALDONE, BRUNEAU, DARTEZ, FARRAR, FAUCHEUX, HEATON, HILL, KENNEY, MONTGOMERY, ODINET, ROBIDEAUX, SCALISE, SCHNEIDER, JANE SMITH, TOWNSEND, WHITE, ALEXANDER, ANSARDI, BADON, BARROW, BAYLOR, BEARD, BOWLER, BRUCE, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DANIEL, DEWITT, DOERGE, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FRITH, GALLOT, GEYMANN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEBERT, HONEY, HOPKINS, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARTINY, MCDONALD, MORRELL, MORRISH, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, SMILEY, GARY SMITH, JACK SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TRAHAN, TUCKER, WADDELL, WALKER, WALSWORTH, WINSTON, WOOTON, AND WRIGHT AND SENATORS HEITMEIER, HINES, AND MOUNT

TAX/INCOME TAX: Increases deduction from state income taxes for federal income taxes paid by the amount of presidential disaster area relief credits (Item #11)

1 AN ACT
2 To amend and reenact R.S. 47:287.85(C)(2) and 293(3), relative to income tax of estates and
3 trusts, corporations, and individuals; to provide that the deduction from state income
4 taxes for federal income tax shall not be reduced by the amount of certain federal
5 disaster relief tax credits and deductions; to provide for an effective date; and to
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 47:287.85(C)(2) and 293(3) are hereby amended and reenacted to
9 read as follows:

10 §287.85. Federal income tax deduction

11 * * *

12 C.

13 * * *

- 1 Section 2. This Act shall be effective for all taxable periods beginning after
2 December 31, 2004.

DIGEST

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

Hammett

HB No. 24

Abstract: Provides that the federal income tax deduction allowed for individuals, estates and trusts, and corporations from state income taxes will not be reduced by the amount of federal disaster relief credits or disaster-related casualty losses.

Present law provides that the deduction from state income taxes for federal income tax is the amount due to the federal government after all federal credits.

Proposed law provides that for taxable years beginning in 2005, the federal income tax deduction from state income taxes allowed for individuals, estates and trusts, and corporations will not be reduced by the amount of federal disaster relief credits and any disaster-related casualty loss deductions that were determined by the secretary to be incurred by the hurricanes.

Proposed law provides that any determinations made by the secretary as to rules and regulations shall be approved by the Senate Revenue and Fiscal Affairs Committee and the House Committee on Ways and Means meeting jointly.

Effective for taxable periods beginning after December 31, 2004.

(Amends R.S. 47:287.85(C)(2) and 293(3))

Summary of Amendments Adopted by House

House Floor Amendments to the engrossed bill.

1. Adds federal casualty loss deductions to the definition of federal income tax liability.
2. Provides that determinations by the secretary shall be pursuant to rules approved jointly by Senate Revenue and Fiscal Affairs and House Ways and Means.