

Regular Session, 2014

HOUSE BILL NO. 712

BY REPRESENTATIVE GREENE

TAX/SEVERANCE TAX: Prohibits the state from paying interest on refunds for the overpayment of certain severance taxes

1 AN ACT

2 To enact R.S. 47:1624.1, relative to refunds; to provide with respect to the refund of
3 overpayment of severance taxes; to prohibit certain taxpayers from earning interest
4 on refunds; to provide for certain limitations; to provide for effectiveness; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 47:1624.1 is hereby enacted to read as follows:

8 §1624.1. Interest on refunds; severance tax

9 Notwithstanding any other provision of law to the contrary, an operator,
10 whose well qualifies for the severance tax suspension pursuant to the provisions of
11 R.S. 47:633(7)(c)(iii) or (9)(d)(v) for new horizontal or deep wells, shall not be paid
12 interest on refunds for the overpayment of severance taxes when such refunds have
13 been processed and paid by the Department of Revenue no later than the one hundred
14 eightieth day following the day a properly filed claim for refund or amended return
15 with supporting documentation for the new horizontal or deep well has been
16 submitted to the department.

17 Section 2. This Act shall take effect and become operative if and when the Act
18 which originated as House Bill No. 713 of this 2014 Regular Session of the Legislature is
19 enacted and becomes effective.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Greene

HB No. 712

Abstract: Prohibits an operator whose well qualifies for a severance tax suspension on new horizontal or deep wells from earning interest on refunds for overpayment of severance tax if the refund is paid no later than the 180th day following the day a properly filed refund is submitted to the Dept. of Revenue.

Proposed law prohibits an operator whose well qualifies for a severance tax suspension on new horizontal wells or deep wells from earning interest on refunds for overpayment of severance taxes if the refund is processed and paid by the Dept. of Revenue (DOR) no later than the 180th day following the day a properly filed claim for refund or amended return with supporting documentation for the new horizontal well or deep well has been submitted to DOR.

Effective if and when House Bill No. 713 of this 2014 R.S. is enacted and becomes effective.

(Adds R.S. 47:1624.1)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Ways and Means to the original bill.

1. Changed the reference in proposed law from a severance tax exemption to a severance tax suspension.
2. Added requirement that no interest shall be paid if the refund is processed and paid by DOR no later than the 180th day following the day a properly filed claim for refund or amended return is submitted to DOR.