

2015 Regular Session

SENATE BILL NO. 233

BY SENATOR DONAHUE

FISCAL CONTROLS. Establishes a baseline limit on the payment of rebates and the use of tax credits in a fiscal year for Enterprise Zone and Quality Job Program contracts and provides a sunset date for the Enterprise Zone program. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 51:2455(A) and (C) and 2457(A)(4) and to enact R.S.
3 51:1787(H) and 1792, relative to incentive credits and rebates; to provide for a
4 baseline limit on the payment of certain incentive rebates and the use of certain
5 incentive tax credits in a fiscal year; to provide a termination date for entering such
6 contracts; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 51:2455(A) and (C) and 2457(A)(4) are hereby amended and
9 reenacted and R.S. 51:1787(H) and 1792 are hereby enacted to read as follows:

10 §1787. Incentives

11 * * *

12 **H. Notwithstanding any other provision of this Chapter, for each fiscal**
13 **year beginning Fiscal Year 2015-2016, no more than the baseline average of**
14 **seventy-three million dollars of the aggregate amount of claims filed for the**
15 **rebates or credits provided for in this Chapter during the five fiscal years from**
16 **Fiscal Year 2008-2009 to Fiscal Year 2013-2014 shall be paid as a rebate of sales**
17 **and use tax and allowed as a credit against income or corporate franchise tax**

credits against income and corporate franchise tax liability.

Proposed law allows no more than the "baseline average" of \$73 million of the aggregate amount of claims filed for the Enterprise Zone sales and use tax rebates or tax credits during the five fiscal years from Fiscal Year 2008-2009 to Fiscal Year 2013-2014 to be paid as a rebate or used as a credit against income and corporate franchise tax, or both, for all claims for the rebate and credit filed during a fiscal year.

Proposed law allows no more than the "baseline average" of \$55 million of the amount of claims filed for the Quality Jobs Program rebates during the five fiscal years from Fiscal Year 2008-2009 to Fiscal Year 2013-2014 to be paid as a rebate for all claims for the rebate and credit filed during a fiscal year.

Proposed law allows claims on a first-come, first-served basis. Any employer whose claim is disallowed may claim the rebate in the next fiscal year, or use the tax credit against income or corporate franchise tax liability due in a return filed in the next fiscal year, or both, and his claim has priority over other claims filed after the date and time of his original claim.

Proposed law prohibits entering into Enterprise Zone contracts after June 30, 2021.

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

(Amends R.S. 51:2455(A) and (C) and 2457(A)(4); adds R.S. 51:1787(H) and 1792)