

HOUSE COMMITTEE AMENDMENTS

2016 First Extraordinary Session

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 71 by Representative Barras

1 AMENDMENT NO. 1

2 On page 1, line 2, after "reenact" and before "relative" delete "R.S. 51:1787(A)(2)(a) and
3 (B)(3)(b)," and insert "R.S. 51:1787(A)(3) and (B)(3)(c) and (5) and to enact R.S.
4 51:1787(A)(1)(c) and (B)(3)(d),"

5 AMENDMENT NO. 2

6 On page 1, at the end of line 3, insert "provide for computation of average annual
7 employment; to"

8 AMENDMENT NO. 3

9 On page 1, line 7, after "Section 1." delete the remainder of the line and insert "R.S.
10 51:1787(A)(3) and (B)(3)(c) and (5) are hereby amended and reenacted and R.S.
11 51:1787(A)(1)(c) and (B)(3)(d) are hereby enacted"

12 AMENDMENT NO. 4

13 On page 1, delete lines 14 through 19 in their entirety, delete page 2 in its entirety and on
14 page 3, delete lines 1 through 8 in their entirety and insert the following:

15 "(1) For either:

16 * * *

17 (c)(i) For projects for which the advance notification is filed on or after April
18 1, 2016, the amount of the rebate of sales and use taxes and the investment income
19 tax credit granted pursuant to the provisions of this Section shall not exceed the sum
20 of the following:

21 (aa) One hundred thousand dollars per net new job created under this
22 Chapter.

23 (bb) One thousand dollars per full-time job retained by the business
24 enterprise that existed prior to the effective date of the contract. A business shall
25 retain an existing full-time job for a minimum of three years after the effective date
26 of the contract to be eligible to receive the benefit authorized by this Subitem.

27
28 (ii) A business shall not receive any sales and use tax rebate or refundable
29 investment income tax credit until it has provided all documentation, including filing
30 the annual certification report as required by rule, and has shown proof of the
31 creation of the net new jobs or retention for a minimum of three years of an existing
32 full-time job.

33 (iii) For purposes of determining the maximum rebate or income tax credit
34 allowed, each net new job and each retained full-time job shall only be counted once.
35 The limitation provided for in this Subparagraph shall only apply to the sales and use
36 tax rebates and refundable investment income tax credits granted to businesses
37 participating in the Enterprise Zone Program.

38 * * *

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 (3) The tax credit provided in Paragraph (2) of this Subsection shall be
2 applicable as follows:

3 (a) For projects for which an advance notification was filed before April 1,
4 2016, only to a position within the state that did not previously exist in the business
5 enterprise and that is filled by a person who is a citizen of the United States and who
6 is domiciled in Louisiana, or who is a citizen of the United States and becomes
7 domiciled in Louisiana within sixty days after his employment in such position,
8 performing duties in connection with the operation of the business enterprise as a
9 regular, full-time employee.

10 (b) For projects for which an advance notification was filed on or after April
11 1, 2016, only to a position within the state that is in excess of the median statewide
12 number of employees of the business, including affiliates, that did not previously
13 exist in the business enterprise prior to the contract effective date and that is filled
14 by a person who is a citizen of the United States and who is domiciled in Louisiana,
15 or who is a citizen of the United States and becomes domiciled in Louisiana within
16 sixty days after his employment in such position, performing duties in connection
17 with the operation of the business enterprise as a regular, full-time employee.

18
19 (c) The total number of credits allowed to a business enterprise for
20 employees who are citizens of the United States and who become domiciled in
21 Louisiana within sixty days after employment shall not exceed fifty percent of the
22 total number of credits allowed to the business enterprise under the contract.

23 B. The board may enter into the contracts provided in Subsection A of this
24 Section provided that:

25 * * *

26 (3)

27 * * *

28 (c) Notwithstanding any other provision of law to the contrary, a business
29 that is assigned a North American Industry Classification Code of 5613 or 721, and
30 whose advance notification is not filed before April 1, 2016, shall be ineligible to
31 receive benefits pursuant to the provisions of this Section.

32 (d) The certifications required by Subparagraph (a) of this Paragraph shall
33 be updated annually if the business is to continue receiving the benefits of this
34 Chapter.

35 * * *

36 (5)(a) Except as provided in Subparagraph (b) of this Paragraph, the business
37 creates a either:

38 (i) A minimum of the lesser of five net new permanent jobs to be in place
39 within the first two years of the contract period, as determined by the company's
40 average annual employment reported under the Louisiana Employment Security
41 Law.

42 (ii) The number of net new jobs equal to a minimum of ten percent of the
43 existing employees, minimum of one, within the first year of the contract period, as
44 determined by the company's average annual employment reported under the
45 Louisiana Employment Security Law.

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