
HOUSE COMMITTEE AMENDMENTS

2016 Second Extraordinary Session

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 38 by Representative White

1 AMENDMENT NO. 1

2 On page 1, line 2, after "reenact" and before the comma "," delete "R.S. 47:293(3)" and
3 insert "R.S. 47:293(3)(c) and to enact R.S. 47:293(3)(d) and (e)"

4 AMENDMENT NO. 2

5 On page 1, line 4, after "deduction" and before the semicolon ";" insert the following:

6 "under certain circumstances; to provide for certain requirements and limitations; to
7 authorize the carry forward and refund of amounts of the deduction under certain
8 circumstances"

9 AMENDMENT NO. 3

10 On page 1, line 7, after "Section 1." delete the remainder of the line in its entirety and insert
11 the following:

12 "R.S. 47:293(3)(c) is hereby amended and reenacted and R.S. 47:293(3)(d) and (e)
13 are hereby enacted to read as follows:"

14 AMENDMENT NO. 4

15 On page 1, line 13, after "means" delete the remainder of the line in its entirety and insert
16 "the following percentages of the amount"

17 AMENDMENT NO. 5

18 On page 1, delete lines 17 through 20 in their entirety and on page 2, delete lines 1 and 2 in
19 their entirety and insert the following:

20 " * * *

21 (c) For all tax years beginning on and after January 1, 2009, and ending on
22 or before December 31, 2015, one hundred percent of such excess federal itemized
23 personal deductions.

24 (d) For tax years beginning during calendar years 2016 and 2017, the greater
25 of either:

26 (i) Fifty-seven and one half percent of such excess federal itemized personal
27 deductions; or

28 (ii) One hundred percent of qualified residence interest on a Louisiana
29 residence and charitable contributions used by the taxpayer in the calculation of
30 federal taxable income which exceed the amount of the federal standard deduction
31 which is designated for the filing status used for the taxable period on the individual
32 income tax return to be filed. For purposes of this Part, "qualified residence interest"
33 has the meaning given to the term in Section 163(h)(3) of the Internal Revenue Code
34 and is subject to all applicable federal limitations. Furthermore, for purposes of this
35 Part, the term "charitable contribution" has the meaning given to the term in Section
36 170 of the Internal Revenue Code and is subject to all applicable limitations.

1 (e) For tax years beginning on and after January 1, 2018, one hundred
 2 percent of such excess federal itemized personal deductions."

3 AMENDMENT NO. 6

4 On page 2, between lines 3 and 4, insert the following:

5 "Section 2. No later than July 1, 2016, the Revenue Estimating Conference shall
 6 meet and forecast the amount of revenue attributable to the 2016 Second Extraordinary
 7 Session, including the revenue increase attributable to the reduction of the amount of excess
 8 itemized personal deduction provided in R.S. 47:293(3). The forecasted amount of State
 9 General Fund for FY 16-17 attributable to the 2016 Second Extraordinary Session and
 10 adopted by the Revenue Estimating Conference shall be designated as the base forecast
 11 amount for FY 16-17. If at any time the State General Fund revenues forecasted for FY 16-
 12 17 by the Revenue Estimating Conference exceeds the base by more than the amount of
 13 revenue increase attributable to the reduction of the amount of excess federal itemized
 14 personal deduction for FY 16-17 provided in R.S. 47:293(3), the reduction in the amount of
 15 the deduction shall be terminated and taxpayers claiming this deduction shall be entitled to
 16 claim one hundred percent of the amount of their excess federal itemized personal
 17 deductions for the 2016 tax year on the return filed with the Department of Revenue. If the
 18 taxpayer has filed the return for the 2016 tax year at the time the Revenue Estimating
 19 Conference recognizes revenue in the forecast that exceeds the base by more than the
 20 amount of revenue attributable to this Act, the taxpayer may carry forward and recoup the
 21 full amount of the deduction on their tax return for the 2017 tax year.

22 Section 3. No later than July 1, 2017, the Revenue Estimating Conference shall meet
 23 and forecast the amount of State General Fund for FY 17-18, including the revenue increase
 24 attributable to the reduction of the excess federal itemized personal deduction provided in
 25 R.S. 47:293(3), which shall be designated as the base forecast amount for FY 17-18. If at
 26 any time the State General Fund revenues forecasted for FY 17-18 by the Revenue
 27 Estimating Conference exceeds the base by more than the amount of revenue increase
 28 attributable to the reduction of the amount of excess federal itemized personal deductions
 29 for FY 17-18 provided in R.S. 47:293(3), the reduction in the amount of the deduction shall
 30 be terminated and taxpayers claiming this deduction shall be entitled to claim one hundred
 31 percent of the amount of their excess federal itemized personal deductions for the 2017 tax
 32 year. If a taxpayer has filed the return for the 2017 tax year at the time the Revenue
 33 Estimating Conference recognizes revenue in the forecast that exceeds the base amount of
 34 revenue attributable to this Act, the taxpayer may carry forward and recoup the full amount
 35 of the deduction on their tax return for the 2018 tax year.

36 Section 4. If the reduction in the amount of the excess federal itemized personal
 37 deduction is not reinstated to one hundred percent prior to the beginning of the 2018 tax year
 38 pursuant to the provisions of R.S. 47:293(3), taxpayers who would have otherwise been
 39 entitled to deduct one hundred percent of their excess federal itemized personal deductions
 40 in tax years 2016 and 2017 shall be entitled to carry forward and recoup any reduced amount
 41 of the deduction that was carried forward from tax years 2016 and 2017, in addition to
 42 claiming one hundred percent of the excess federal itemized personal deductions for tax year
 43 2018."

44 AMENDMENT NO. 7

45 On page 2, at the beginning of line 4, delete "Section 2." and insert "Section 5."

46 AMENDMENT NO. 8

47 On page 2, at the beginning of line 6, delete "Section 3." and insert "Section 6."