

---

## 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)]

---

HB 477 Original

2017 Regular Session

Hensgens

**Abstract:** Requires the annual establishment of an appropriation limit and restricts appropriations to that amount. Establishes the Taxpayers Refund Trust and deposits into the fund an amount of state general fund over the appropriation limit. Provides for an income tax credit when the balance of the fund reaches a certain amount.

Present law establishes the Revenue Estimating Conference and requires the conference to prepare and revise estimates of money received by the state. The most recently adopted estimate of money received is the official forecast.

Proposed law requires the Revenue Estimating Conference to annually determine an appropriation limit of state general fund for the next fiscal year. The limit is a 3-year average of the change in gross domestic product, personal income, and the consumer price index plus the population change in the previous 2 years.

Present law provides for certain limits on the appropriation of state general fund, including that the appropriation does not exceed the official forecast.

Proposed law further limits the appropriation of state general fund to the appropriation limit established in the proposed law.

Present law requires the governor to submit to the legislature a recommendation of appropriations for the next fiscal year that does not exceed the official forecast.

Proposed law further limits the appropriations recommended to the legislature by the governor to the appropriation limit established in the proposed law.

Proposed law creates the Taxpayers Refund Trust as a special treasury fund and requires the treasurer to deposit into the fund state general fund revenues in excess of the appropriation limit.

Further provides that appropriation from the fund shall be made as follows:

- (1) If there is a declared disaster by the federal government, an amount not to exceed the state costs associated with such disaster.
- (2) In any fiscal year in which the balance of the fund at the beginning of the previous fiscal year is in excess of 2% of the official forecast of state general fund for that fiscal year, an amount

equal to the balance of the fund for the purpose of reimbursing taxpayers for their tax liabilities.

Proposed law provides that a taxpayer required to file a resident Louisiana tax return may claim a tax credit in the event the balance of the Taxpayers Refund Trust at the end of the fiscal year is in excess of 2% of the official forecast of state general fund. Further requires the taxpayer to claim the credit by May 15 of the year in which the balance of the fund is available. The amount of each tax credit claimed by a tax payer shall be an amount proportionally equal to the total number of taxpayers claiming the credit for that year.

Proposed law requires the secretary of the Dept. of Revenue to provide the treasurer with a determination of the amount of credits taken. The treasurer is then required to deposit into the state general fund out of the Taxpayers Refund Trust an amount equal to the determination of the credits taken.

Effective if and when the proposed amendment of Article 7 of the Constitution of La. contained in the Act which originated as House Bill No. \_\_\_\_\_ of this 2017 R.S. of the Legislature is adopted at a statewide election and becomes effective.

(Amends R.S. 39:26(A)(2), 34(A), and 54(A)(1); Adds R.S. 39:24(G) and 100.156, and R.S. 47:6039)