

2018 Regular Session

SENATE BILL NO. 373

BY SENATOR BARROW

BUDGET PROCEDURE. Provides for the required reporting of certain revenue, exemptions, credits, rebates in the tax exemption budget and on LaTrac. (8/1/18)

1 AN ACT

2 To amend and reenact the introductory paragraph of R.S. 47:1517(B)(1) and to enact R.S.
3 39:6(C)(3) and R.S. 47:1517(B)(1)(d) and (e), relative to information on the LaTrac
4 website; to provide for the reporting of all revenue, exemptions, credits, exclusions,
5 refunds, preferential tax rates, deferred tax liability, and rebates as contained in the
6 tax exemption budget on LaTrac, or any subsequent database that may replace the
7 LaTrac system; to provide for information to be reported in the tax exemption budget
8 for purposes of inclusion in the LaTrac website; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 39:6(C)(3) is hereby enacted to read as follows:

11 §6. Duties of commissioner

12 * * *

13 C.

14 * * *

15 **(3) The LaTrac website, or any subsequent database that may replace**
16 **the LaTrac system, shall include reports of all revenue, exemptions, credits,**
17 **exclusions, refunds, preferential tax rates, deferred tax liability, and rebates, all**

1 **as contained in the tax exemption budget.**

2 Section 2. The introductory paragraph of R.S. 47:1517(B)(1) is hereby amended and
3 reenacted and R.S. 47:1517(B)(1)(d) and (e) are hereby enacted to read as follows:

4 §1517. Tax exemption budget

5 * * *

6 B.(1) The annual tax exemption budget shall **be published on the LaTrac**
7 **website, or any subsequent database that may replace the LaTrac system, and**
8 **shall** include the following:

9 * * *

10 **(d) The tax exemption budget shall also include the following:**

11 **(i) The number of businesses which receive each tax exemption, credit,**
12 **exclusion, refund, preferential tax rate, deferred tax liability, or rebate,**
13 **hereinafter referred to in this Subsection as the exemption.**

14 **(ii) The parish or location of each business which receives a tax**
15 **exemption; provided, that if less than three businesses receive a particular tax**
16 **exemption, the tax exemption budget may group such tax exemption with**
17 **another tax exemption which also has less than three businesses receiving same.**

18 **(iii) The information shall be displayed in a manner that identifies:**

19 **(aa) The industry group by North American Industry Classification**
20 **System sector.**

21 **(bb) The number of taxpayers by industry.**

22 **(cc) The total tax burden by industry group by individual tax before the**
23 **exemption.**

24 **(dd) The total value to each industry group for each exemption.**

25 **(ee) The total tax value by each industry group by individual tax of the**
26 **tax collections after the exemption.**

27 **(e) The items contained in Subparagraph (B)(1)(d) of this Section shall**
28 **be published to the extent that the information is available to the department,**
29 **on a schedule to be determined by the secretary of the department, beginning**

1 **with the incentive expenditures, and fully implemented by the date of**
 2 **publication of the Fiscal Year 2019-2020 tax exemption budget on or before**
 3 **March 1, 2020. The secretary shall ensure that the publication shall not include**
 4 **confidential information.**

5 * * *

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Martha Hess.

DIGEST

SB 373 Engrossed

2018 Regular Session

Barrow

Present law provides for the commissioner of administration to establish and maintain a website to post reports of state spending. The reports shall include the nature and amount of appropriations for the executive branch of state government, annual salaries and total compensation of statewide elected officials and cabinet-level positions in the executive branch of state government, and the total number in the table of organization for each budget unit. The website shall contain a monthly report of spending by each budget unit.

Present law also requires the commissioner to post reports on state contracts on the website.

Proposed law retains present law and provides that the LaTrac website, or any subsequent database that may replace the LaTrac system, shall include reports of all revenues, exemptions, credits, exclusions, refunds, preferential tax rates, deferred tax liability, and rebates, all as contained in the tax exemption budget.

Present law provides for an annual tax exemption budget.

Proposed law retains present law and further provides that the tax exemption budget shall also include the following:

- (1) The number of businesses which receive each tax exemption, credit, exclusion, refund, preferential tax rate, deferred tax liability, or rebate, hereinafter referred to as the exemption.
- (2) The parish or location of each business which receives a tax exemption; provided, that if less than three businesses receive a particular tax exemption, the tax exemption budget may group such tax exemption with another tax exemption which also has less than three businesses receiving same.
- (3) The information shall be displayed in a manner that identifies:
 - (a) The industry group by North American Industry Classification System sector.
 - (b) The number of taxpayers by industry.
 - (c) The total tax burden by industry group by individual tax before the exemption.
 - (d) The total value to each industry group for each exemption.
 - (e) The total tax value by each industry group by individual tax of the tax

collections after the exemption.

Proposed law further provides that the additional items to be published in the tax exemption budget shall be published to the extent that the information is available to the department and on a schedule to be determined by the secretary of the department beginning with the incentive expenditures and fully implemented by the date of publication of the Fiscal Year 2019-2020 tax exemption budget on or before March 1, 2020.

Proposed law further provides that the secretary shall ensure that the publication shall not include confidential information.

Effective August 1, 2018.

(Amends R.S. 47:1517(B)(1)(intro para); adds R.S. 39:6(C)(3) and R.S. 47:1517(B)(1)(d) and (e))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Finance to the original bill

1. Clarifies that the publication shall be on the LaTrac website, or any subsequent database that may replace the LaTrac system.
2. Adds exclusions, refunds, preferential tax rates, deferred tax liability, and rebates, all as contained in the tax exemption budget, to the information that should be published on the website.
3. Lists the additional items to be included in the tax exemption budget.
4. Provides that the additional items to be included in the tax exemption budget shall be published to the extent that the information is available to the department, on a schedule to be determined by the secretary, beginning with incentive expenditures, and fully implemented by the date of publication of the Fiscal Year 2019-2020 tax exemption budget on or before March 1, 2020.
5. Provides that the secretary shall ensure that the publication shall not include confidential information.