## SLS 20RS-885

## ORIGINAL

2020 Regular Session

SENATE BILL NO. 498

BY SENATOR ALLAIN

REVENUE DEPARTMENT. Provides for tax filing and payment extensions. (gov sig)

1	AN ACT
2	To amend and reenact R.S. 47:1514, relative to tax filing and payment extensions; to
3	authorize the secretary of the Department of Revenue to extend the time to file and
4	pay taxes when there is a disaster declaration; to authorize the secretary to suspend
5	the accrual of interest in certain circumstances; to provide for an effective date; and
6	to provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 47:1514 is hereby amended and reenacted to read as follows:
9	§1514. Power to extend time to file returns and pay tax
10	$\underline{\mathbf{A}}$ . Upon the written request of the taxpayer and for good cause shown, the
11	collector may grant reasonable extensions of time for the filing of returns and
12	payment of tax due under this Sub-title; Subtitle, provided that such any extensions
13	of time shall not exceed six months in the case of income and franchise taxes, thirty
14	calendar days one calendar month in the case of sales taxes, and sixty calendar days
15	two calendar months in the case of any other tax due under this Sub-title Subtitle.
16	Whenever such an extension is granted <b>pursuant to this Subsection</b> , the return or
17	tax for which the extension is granted shall not become delinquent until the

Page 1 of 3 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions. expiration of the extension period; but interest will accrue on the tax during the
 period of the extension<del>, such interest</del> to be computed in all cases from the date the
 tax would have become delinquent in the absence of an extension.

B. In the event of a gubernatorial declared disaster, the collector may 4 grant reasonable extensions of time for the filing of returns and payment of tax 5 due under this Subtitle, provided that any extensions of time shall not exceed six 6 7 months in the case of income and franchise taxes and three calendar months in 8 the case of any other tax due under this Subtitle. Whenever an extension is 9 granted pursuant to this Subsection, the return or tax for which the extension 10 is granted shall not become delinquent until the expiration of the extension 11 period; but interest will accrue on the tax during the period of the extension, to 12 be computed in all cases from the date the tax would have become delinquent 13 in the absence of an extension.

C. In the event of a presidentially declared disaster, the collector may 14 grant reasonable extensions of time for the filing of returns and payment of tax 15 16 due under this Subtitle, provided that any extensions of time shall not exceed six months in the case of income and franchise taxes and three calendar months in 17 the case of any other tax due under this Subtitle. Whenever an extension is 18 19 granted pursuant to this Subsection, the return or tax for which the extension 20 is granted shall not become delinquent until the expiration of the extension 21 period and the collector may suspend the accrual of interest for all or part of 22 the extension period.

Section 2. This Act shall become effective upon signature by the governor or, if not
signed by the governor, upon expiration of the time for bills to become law without signature
by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
vetoed by the governor and subsequently approved by the legislature, this Act shall become
effective on the day following such approval.

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

SB 498 Original

DIGEST 2020 Regular Session

Allain

<u>Present law</u> authorizes the secretary of the Department of Revenue to allow extensions of time to file and pay taxes if the taxpayer makes a request and shows good cause for the extension, however interest will continue to accrue on any amount of tax due until the tax is paid.

<u>Proposed law</u> retains <u>present law</u> and authorizes the secretary of the Department of Revenue to allow extensions of time to file and pay taxes in the event of a gubernatorially declared disaster.

<u>Proposed law</u> authorizes the secretary of the Department of Revenue to allow extensions of time to file and pay taxes in the event of a presidentially declared disaster and further authorizes the secretary to suspend the running of interest for the extended taxes for all or part of the extension period.

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

(Amends R.S. 47:1514)