

2020 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 66

BY REPRESENTATIVES BISHOP, ADAMS, AMEDEE, BAGLEY, BEAULLIEU, BOURRIAQUE, BUTLER, CARRIER, COUSSAN, CREWS, DAVIS, DESHOTEL, DUBUISSON, ECHOLS, EDMONDS, FIRMENT, FONTENOT, FREIBERG, FRIEMAN, GADBERRY, GAROFALO, GOUDEAU, HARRIS, HORTON, ILLG, MIKE JOHNSON, KERNER, MCCORMICK, MCFARLAND, MCKNIGHT, MIGUEZ, MINCEY, CHARLES OWEN, ROBERT OWEN, PRESSLY, RISER, ROMERO, SCHAMERHORN, SCHEXNAYDER, SEABAUGH, SELDERS, STEFANSKI, THOMAS, TURNER, WHEAT, WRIGHT, AND ZERINGUE

A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2021 Regular Session of the Legislature of Louisiana the state corporation franchise tax levied on Louisiana small business corporations at the rate of one dollar and fifty cents for each one thousand dollars, or major fraction thereof on the first three hundred thousand dollars of taxable capital pursuant to the provisions of R.S. 47:601(A) and to suspend the initial tax levied on corporations or other entities for the first accounting period in which the entity becomes subject to the corporation franchise tax pursuant to the provisions of R.S. 47:611(A).

WHEREAS, On March 11, 2020, Governor John Bel Edwards issued Emergency Proclamation Number 25 JBE 2020, which declared a statewide public health emergency as a result of the imminent threat posed to Louisiana citizens by the outbreak of a respiratory disease caused by a novel coronavirus known commonly as COVID-19; and

WHEREAS, on March 13, 2020, Governor John Bel Edwards issued Emergency Proclamation Number 27 JBE 2020, which supplemented the measures taken in his declaration of a public health emergency with additional restrictions in order to further protect the health and safety of the public because of COVID-19; and

WHEREAS, On March 22, 2020, Governor John Bel Edwards issued Emergency Proclamation Number 33 JBE 2020 which implemented additional measures, including a general stay-at-home order to the public and the temporary closure of certain businesses and further limiting the operations of certain non-essential businesses to the public to mitigate the impact of COVID-19, and to disrupt the spread of the virus; and

WHEREAS, as a result of the issuance of the general stay-at-home order and the temporary closure of certain businesses and the further limiting of the operations of certain non-essential businesses to the public, businesses as well as employees have suffered great economic losses; and

WHEREAS, in an effort to mitigate some of the financial losses suffered by businesses, the state should consider temporarily suspending the state corporation franchise tax levied on Louisiana small business corporations and suspending the initial tax levied on corporations or other entities for the first accounting period in which the entity becomes subject to the corporation franchise tax.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana hereby suspends the provisions of the state corporation franchise tax levied on Louisiana small business corporations at the rate of one dollar and fifty cents for each one thousand dollars, or major fraction thereof on the first three hundred thousand dollars of taxable capital pursuant to the provisions of R.S. 47:601(A) and suspends the initial tax levied on corporations or other entities for the first accounting period in which the entity becomes subject to the corporation franchise tax pursuant to the provisions of R.S. 47:611(A).

BE IT FURTHER RESOLVED that this suspension shall apply only to franchise taxable periods beginning between July 1, 2020 and June 30, 2021.

BE IT FURTHER RESOLVED that for purposes of this resolution, "Louisiana small business corporation" means a business that is exercising its charter, or qualified to do business or actually doing business in this state, or owning or using any part or all of its capital, plant, or any other property in this state, that is subject to the corporation franchise tax, and that has taxable capital of five hundred thousand dollars or less.

BE IT FURTHER RESOLVED that this suspension shall become effective upon adoption of this Resolution and shall extend through the sixtieth day after final adjournment of the 2021 Regular Session of the Legislature of Louisiana.

---

SPEAKER OF THE HOUSE OF REPRESENTATIVES

---

PRESIDENT OF THE SENATE