

1 dollars in tax credits in any calendar year, the amount of residual unused tax
 2 credits shall carry forward to subsequent calendar years and may be granted
 3 in any year without regard to the two million five hundred thousand dollar
 4 per year limitation.

5 (3) The department, in consultation with the Louisiana Workforce
 6 Commission, shall establish by regulation the procedures sufficient to
 7 determine the employer's eligibility for the credit.

8 (4) The Louisiana Workforce Commission shall provide an annual list
 9 of businesses that participate in the apprenticeship programs administered by
 10 the agency to the department.

11 (5) The department shall determine the enrollment and transcript data
 12 required from the National Center for Construction Education and Research
 13 for students enrolled in one of its accredited training programs that is
 14 sufficient for the department to determine the employer's eligibility for the
 15 credit authorized by this Section. However, in order for an employer to be
 16 eligible for a credit, a student enrolled in a training program accredited by the
 17 National Center for Construction Education and Research must have
 18 successfully completed no less than two levels of training and no less than
 19 two hundred fifty hours of instruction.

20 D. Application of the Credit.

21 (1) The credit shall be allowed against the income or franchise tax
 22 due from a taxpayer for the taxable period in which the credit is earned. If the
 23 tax credit allowed pursuant to this Section exceeds the amount of such taxes
 24 due from a taxpayer, then the taxpayer as a credit may carry any unused
 25 credit forward to be applied against subsequent tax liability for a period not
 26 to exceed five years. However, in no event shall the amount of the tax credit
 27 applied by a taxpayer in a taxable period exceed the amount of such taxes
 28 due from the taxpayer for that taxable period.

29 (2) All entities taxed as corporations for Louisiana income tax
 30 purposes shall claim any credit on their corporation income and franchise tax
 31 return.

32 (3) Individuals, estates, and trusts shall claim any credit on their
 33 income tax return.

34 (4) Entities not taxed as corporations shall claim their share of any
 35 credit on the returns of the partners or members as follows:

36 (a) Corporate partners or members shall claim their share of any
 37 credit on their corporation income tax returns.

38 (b) Individual partners or members shall claim their share of any
 39 credit on their individual income tax returns.

40 (c) Partners or members that are estates or trusts shall claim their
 41 share of any credit on their fiduciary income tax returns.

42 E. Recovery of credits by Department of Revenue. Credits previously
 43 granted to a taxpayer, but later disallowed, may be recovered by the secretary
 44 of the Department of Revenue through any collection remedy authorized by
 45 R.S. 47:1561.3.

46 F. The department may promulgate rules in accordance with the
 47 Administrative Procedure Act to establish the policies and criteria regarding
 48 program eligibility and any other matter necessary to carry out the intent and
 49 purposes of this Section.

50 G. No credit shall be granted for the employment of eligible
 51 apprentices before January 1, 2022, or after December 31, 2028."