



of the return until the return is filed and from the due date of the tax until the tax is paid.

Present law authorizes interest to be added to refunds of local sales and use tax when a taxpayer overpays the tax.

Proposed law provides that the interest rate for refunds of overpayments of local sales and use tax for taxes that become due on or after Jan. 1, 2023, will be the same rate charged on tax obligations set forth in proposed law.

Present law prohibits interest on refunds if it is determined that a taxpayer has deliberately overpaid a tax in order to derive the benefit of the interest.

Proposed law retains present law and further prohibits interest on refunds if it is determined that a taxpayer has not entered into an agreement to abide and the same principle of law is involved.

Effective August 1, 2022.

(Amends R.S. 47:337.63(A)(3), (D), and (E), 337.69(B), 337.70(A)(1) and (2), and 337.80(A)(4)(b) and (B); adds R.S. 47:337.69(C) and 337.70(A)(4))

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Revenue and Fiscal Affairs to the original bill

1. Adds provisions relative to the remittance of taxes paid under protest and authorizing interest on refunds in suits to recover.
2. Limits the interest paid on the tax obligation to the interest that is actually earned and received by the collector on the payment when the taxpayer has pursued an appeal and the collector and the taxpayer have entered into an agreement to abide.
3. Authorizes a specific penalty of 5% of the tax owed for each 30-day period after the return was required to be filed or the tax was required to be remitted.
4. Prohibits interest on refunds if it is determined that a taxpayer has not entered into an agreement to abide and the same principle of law is involved.
5. Provides for technical changes.

##### Senate Floor Amendments to engrossed bill

1. Makes technical correction.