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

DIGEST

SB 88 Original | 2023 Regular Session | Cathey

Proposed law establishes an employer supported maternal healthcare tax credit against Louisiana income tax or corporation franchise tax for employers that provide paid leave to eligible employees for medical appointments reasonably related to prenatal care and postpartum care. The amount of the credit is equal to the hourly wage paid by an employer to an eligible employee during the length of the medical appointment, not to exceed three hours per appointment and thirteen medical appointments per eligible employee per pregnancy.

Proposed law defines "employee" as an individual:

(1) Who is a resident of Louisiana.

(2) Who is employed by the employer for more than 25 hours per week.

(3) Who has been continuously employed by the employer for at least three months.

(4) Who is not a temporary or seasonal employee.

(5) Whose wages are subject to withholding under present law.

(6) Whose wages are no more than $20 per hour.

Proposed law defines "employer" as a person or entity who employs three or more full-time employees within this state for at least 48 calendar weeks prior to claiming the credit and includes an individual, corporation, partnership, association, or nonprofit organization.

Proposed law defines"medical appointment" as an appointment with either a physician that is licensed by and in good standing with the La. State Board of Medical Examiners or a nurse practitioner licensed by and in good standing with the La. State Board of Nursing. "Medical appointment" does not include any appointment with an organization involved in or associated with abortion clinics.

Proposed law provides that the total amount of the credits taken by an employer during any taxable year shall not exceed $800 per eligible employee per pregnancy.

Proposed law provides the total amount of the credits granted by the department in any calendar year shall not exceed $2,500,000.

Proposed law provides for the administration and application of the credits.

Proposed law authorizes the department to promulgate rules as are necessary to administer the tax credit. Requires the department to commence the promulgation of rules no later than September 30, 2023.

Applicable for taxable years beginning on or after January 1, 2024.

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

(Adds R.S. 47:6043)