

2024 Regular Session

SENATE BILL NO. 373

BY SENATOR ALLAIN

TAX/INCOME/PERSONAL. Provides relative to individual income tax checkoff for donations to the Coastal Protection and Restoration Fund. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 47:120.32(A)(1) and (B), relative to the state individual income
3 tax return checkoff for certain donations to the Coastal Protection and Restoration
4 Fund; to correct a statutory citation to the fund; to provide for effectiveness; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 47:120.32(A)(1) and (B) are hereby amended and reenacted to read
8 as follows:

9 §120.32. Donation of individual income tax refunds and other contributions to the
10 Coastal Protection and Restoration Fund

11 A.(1) For tax years beginning on and after January 1, 2009, every individual
12 that files an individual income tax return is authorized to do any of the following:

13 (a) Designate on the return for such tax all or a portion of the total amount of
14 the refund to which such taxpayer is entitled for that tax year as a donation to the
15 Coastal Protection and Restoration Fund provided for in ~~R.S. 49:213.2~~ **R.S.**
16 **49:214.5.4** in lieu of that amount being paid to the taxpayer as a refund, in which
17 case the refund shall be reduced by the amount so designated.

1 (b) Whether or not the taxpayer is entitled to a refund, a taxpayer may make
 2 an additional donation to the Coastal Protection and Restoration Fund provided for
 3 in ~~R.S. 49:213.2~~ **R.S. 49:214.5.4** by paying the amount of such donation in addition
 4 to any tax or refund due for the year and designating the donation on the return for
 5 such tax.

6 * * *

7 B. Upon receipt of any taxpayer's return upon which the designation of a
 8 refund donation or the payment of an additional donation has been made, the
 9 secretary shall, after having deducted the refund donation from the amount of any
 10 refund due, remit any such donation to the state treasurer for deposit directly into the
 11 Coastal Protection and Restoration Fund provided for in ~~R.S. 49:213.2~~ **R.S.**
 12 **49:214.5.4** no more than one hundred twenty days from the last statutorily authorized
 13 extension for filing the return.

14 * * *

15 Section 2. This Act shall become effective upon signature by the governor or, if not
 16 signed by the governor, upon expiration of the time for bills to become law without signature
 17 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 18 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 19 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 Danielle Clapinski.

DIGEST

SB 373 Original 2024 Regular Session Allain

Present law allows taxpayers to make a donation when filing their individual income tax return to the Coastal Protection and Restoration Fund. Donations may be made from a refund on the taxpayer's individual income tax return or in addition to a payment of taxes due when filing the return.

Proposed law corrects the statutory citation in law for the Coastal Protection and Restoration Fund and otherwise retains present law.

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

(Amends R.S. 47:120.32(A)(1) and (B))