
SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Reengrossed Senate Bill No. 259 by Senator Marionneaux

1 AMENDMENT NO. 1

2 On page 1, line 2, after "32(D)" insert "and 32.1"

3 AMENDMENT NO. 2

4 On page 1, line 3, "income;" insert:

5 "to provide for the related matter of insuring that the phase-out of income tax
6 revenue is offset by the immediate disallowance and then phase-out of certain state
7 tax benefits and incentives such as tax exclusions, exemptions, deductions,
8 suspensions, and special rates, special discounts, compensation for tax collection,
9 credits, tax refunds, tax rebates or other types of rebates and incentives;"

10 AMENDMENT NO. 3

11 On page 1, line 5, change "is" to "and 32.1 are"

12 AMENDMENT NO. 4

13 On page 3, after line 14, insert:

14 **§32.1. Disallowance and phase-out of tax benefits and other incentives to offset**
15 **income tax phase-out**

16 **A. In order to insure that the phase-out of individual and corporate**
17 **income tax beginning in 2013 and completed by January 1, 2022 required by the**
18 **provisions of R.S. 32(D) is offset, there shall be an immediate disallowance and**
19 **a phased-out disallowance of certain state tax benefits and incentives such as tax**
20 **exclusions, exemptions, deductions, suspensions, and special rates, special**
21 **discounts, compensation for tax collection, credits, tax refunds, tax rebates or**
22 **other types of rebates and incentives as provided in this Section.**

23 **B.(1) In order to offset the phase-out of individual and corporate income**
24 **tax for Fiscal Year 2012-2013 and to provide additional offset for fiscal years**
25 **thereafter, the tax benefits granted pursuant to R.S. 47:633(7)(c)(iii) and (iv)**
26 **and (9)(d)(v) shall not be allowed for tax years beginning during 2013 and every**
27 **year thereafter.**

28 **(2) In order to offset the phase-out of individual and corporate income**
29 **tax for Fiscal Year 2013-2014 and to provide additional offset for fiscal years**
30 **thereafter, the tax benefits granted pursuant to R.S. 47:301(3)(e), (i), and (k),**
31 **(10)(a)(iii), (13)(b) and (k), (18)(a)(iii), and (28), 305(D)(1)(d) in so far as that**
32 **provision exempts electric power and energy for nonresidential use, 305.50(A),**
33 **305.54, 306(A)(3)(a), 632(B), that portion of 633(7)(a) which allows a deduction**
34 **for charges for trucking, barging, and pipeline fees, 633(7)(b), (c)(i), (ii), and (v),**
35 **(9)(b), (c), (e)(i), (ii), (iii), (iv), (v), (vi), (vii), 633.4, 633.5(C), Part 1-C of**
36 **Chapter 6 of Subtitle II of this Title (R.S. 47:648.1 et seq.), 648.21, 818.22(A)**
37 **and (B), 843(C)(3), 851(B)(2)(b), 855, 1003(11) shall not be allowed for tax years**
38 **beginning during 2014 and every year thereafter.**

39 **(3)(a) In order to offset the phase-out of individual and corporate**
40 **income tax for Fiscal Year 2014-2015 and fiscal years thereafter, the following**
41 **state tax benefits and incentives shall be phased-out as provided for in**
42 **Paragraph (4) of this Subsection:**

43 **(i) With regard to Corporate Franchise Tax: R.S. 3:84 and 147, R.S.**
44 **6:62, Chapter 4 of Code Title XI of Code Book III of Title 9 of the Louisiana**
45 **Revised Statutes of 1950 (R.S. 9:3441, et seq.) and Chapter 22 of Title 12 of the**

Louisiana Revised Statutes of 1950 (R.S. 12:1301, et seq.), R.S. 12:202(K) and (L), and 425, R.S. 39:467 and 468, R.S. 47:12, 602(B), (C), (D), (E), and (F), 603(B)(5), 605(C), 606(E), 608,6004, 6005, 6006, 6006.1, 6008, 6009, 6012, 6013, 6014, 6017, 6018, 6019, 6029, 6032, 6033, 6105, 6107(A)(1) and (2), and R.S. 51:3092.

(ii) With regard to Hazardous Waste Disposal Tax: R.S. 47:823(E)

(iii) With regard to Alcohol Beverage Tax: R.S. 26:345, 347, 354(D), and 366.

(iv) With regard to Petroleum

product Taxes: That portion of R.S. 3:4684 providing an exemption for fishermen and seagoing vessels in R.S. 3:4684, R.S. 47:713, 818.14(A)(4), 818.15(A)(1), and 818.15(A)(2) except for that portion applicable to operating or propelling aircraft.

(v) With regard to Public Carriers: R.S. 45:1177(A)(4) and (5).

(vi) With regard to State Sales and Use Tax: R.S. 4:168, 227, R.S. 12:425, R.S. 33:4169(D), R.S. 38:2212.4, R.S. 39:467 and 468, Part V of Chapter 3 of Title 40 of the Louisiana Revised Statutes of 1950 (R.S. 40:582.1 et seq.), R.S. 47:301(1), (3)(a), (c), (d), (f), (g), and (j), (4)(k),(6)(b) and (c),(7)(b), (c), (d), (e), (f), (g), (h), (i), (j), and (l), (8)(b), (c), (d), (e), and (f), (10)(a)(v), (b)(i), (c)(i)(bb) and (ii)(aa) and (bb), (d), (e), (h), (i), (j), (k), (l), (m), (n), (o), (p), (q), (r), (t), (v), (x), (y), (z), (aa), (bb), (cc), (dd), (ee), (ff), and (gg), that portion of (13)(a) which provides an exclusion for the market value of an article traded in, (13)(c), (d), (e) (g), (h), (l), and (m), (14)(b)(i), (ii), and (iv), (g)(i)(bb) and (iii), (16)(b)(ii) and (iii), (e), (f), (g), (h), (i), (j), (k), (l), (m)(i) and (iii), (n), (o)(i), and (p), (18)(a)(i) except that portion which provides an exclusion for property for sale at retail, (d)(ii), (c), (e), (f), (g), (h), (i), (k), (l), (m), (n), (o), and (p), (22), and (23), 302(D), 302.1, 303(E)(1) and (F), 304(A), 305(A)(1), (2), (4), (5), and (6), (B), (D)(1)(a) in so far as that provision exempts gasoline not for road use, (b), (c) in so far as that provision exempts water for nonresidential use, (e) in so far as that provision exempts natural gas for nonresidential use, (f), (g), (h), (i), (j), (k), (l), (m), (s), (t), and (u), and (2), (F), (G), (H), and (I), 305.1, 305.2 except for prescription insulin, 305.3, 305.6, 305.7, 305.8, 305.9, 305.10, 305.11, 305.13, 305.14, 305.15, 305.16, 305.17, 305.18, 305.19, 305.20, 305.25, 305.26, 305.28, 305.33, 305.36, 305.37, 305.38, 305.39, 305.40, 305.41, 305.42, 305.43, 305.44, 305.45, 305.47, 305.49, 305.50(B) through (F), 305.51, 305.53, 305.55, 305.56, 305.57, 305.58, 305.59, 305.60, 305.62, 305.63, 305.64, 305.65, 306(A)(2), 306.1 and 306.2, 315, 315.1, 315.2, 315.3, 315.5, 1515.1, and 6001, and Chapter 10 of Title 51 of the Louisiana Revised Statutes of 1950 (R.S. 51:1301 et seq.).

(vii) With regard to Tax Incentive and Exemption Contracts: R.S. 17:3389, R.S. 22:832, R.S. 25:1226 .4, R.S. 47:1125.1, 3204, 4305, 6007, 6015, 6016, 6020.2, 6021, 6022, 6023, 6026, 6027, 6031, 6034, 6036 and 6037, R.S. 51: 1787(A) and (G) and 1788, 1807, 1924, 2353 and 2354, 2399.3, 2455, and 2456.

(viii) With regard to Telecommunication Tax: R.S. 47:1061(A)(2)

(ix) With regard to Tobacco Tax: R.S. 47:857.

(b) The phase-out of the tax benefits and incentives required by this Section shall only apply to the portions of the state statutes which grant a state tax benefit or incentive. It shall not affect any tax benefit or incentive granted against political subdivision taxes.

(4) For Fiscal Year 2015-2016 and fiscal years thereafter, the phase-out of the state tax benefits and incentives provided for in Paragraph (3) of this Subsection shall be accomplished as follows:

(a) For tax years beginning during 2015, a taxpayer shall only be allowed ninety percent of the state tax benefits and incentives provided for in Paragraph (3) of this Subsection.

(b) For tax years beginning during 2016, a taxpayer shall only be allowed seventy-nine percent of the state tax benefits and incentives provided for in Paragraph (1) of this Subsection.

(c) For tax years beginning during 2017, a taxpayer shall only be allowed sixty-seven percent of the state tax benefits and incentives provided for in Paragraph (1) of this Subsection.

1 **(d) For tax years beginning during 2018, a taxpayer shall only be allowed**
2 **fifty-five percent of the state tax benefits and incentives provided for in**
3 **Paragraph (1) of this Subsection.**

4 **(e) For tax years beginning during 2019, a taxpayer shall only be allowed**
5 **forty-two percent of the state tax benefits and incentives provided for in**
6 **Paragraph (1) of this Subsection.**

7 **(f) For tax years beginning during 2020, a taxpayer shall only be allowed**
8 **twenty-nine percent of the state tax benefits and incentives provided for in**
9 **Paragraph (1) of this Subsection.**

10 **(g) For tax years beginning during 2021, a taxpayer shall only be allowed**
11 **fourteen percent of the state tax benefits and incentives provided for in**
12 **Paragraph (1) of this Subsection.**

13 **(h) For tax years beginning during 2022 and each tax year thereafter, a**
14 **taxpayer shall not be allowed any of the state tax benefits and incentives**
15 **provided for in Paragraph (1) of this Subsection."**