

Regular Session, 2013

HOUSE BILL NO. 193

BY REPRESENTATIVE GISCLAIR

TAX CREDITS: Provides relative to certain port and harbor activities for purposes of qualifying for the ports of La. tax credit

1 AN ACT

2 To amend and reenact R.S. 47:6036(B)(8), relative to tax credits; to provide relative to the  
3 ports of Louisiana tax credit; to provide relative to certain activities on projects  
4 which qualify for such tax credit; to provide for certain definitions; and to provide  
5 for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 47:6036(B)(8) is hereby amended and reenacted to read as follows:

8 §6036. Ports of Louisiana tax credits

9 \* \* \*

10 B. Definitions.

11 For purposes of this Section, the following words shall have the following  
12 meanings unless the context clearly indicates otherwise:

13 \* \* \*

14 (8) "Port or port and harbor activity" shall mean and include any trade or  
15 business described in the 1997 North American Industry Classification System  
16 (NAICS) within Subsector 493 (Warehousing and Storage), Industry Number  
17 488310 (Port and Harbor Operations), ~~or~~ Industry Number 488320 (Marine Cargo  
18 Handling), or in the 2012 North American Industry Classification System (NAICS)  
19 Industry Number 336611 (Ship Building and Repairing), when the trade or business  
20 is conducted on premises in which a duly recognized port authority has an

1 ownership, leasehold, or other possessory interest and such premises are used as part  
 2 of the operations of a duly recognized port authority, including the above trades and  
 3 businesses as they may hereafter be reclassified in any subsequent publication of the  
 4 NAICS or similar classification system developed in conjunction with the United  
 5 States Department of Commerce and Office of Management and Budget.

6 \* \* \*

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Gisclair

HB No. 193

**Abstract:** Adds the 2012 NAICS classification for Ship Building and Repairing to the list of industries included in the definition of "port or port and harbor activity" for purposes of qualifying for the ports of La. tax credits.

Present law authorizes a ports of La. investor tax credit and an Import Export Cargo credit in order to encourage private investment in and the use of state port facilities. The ports of La. investor tax credit applies to the total capital costs of a qualifying project. Present law defines a "qualifying project" as a project sponsored or undertaken by a public port and investing companies with a capital cost of not less than \$5 million and at which the predominant trade or business activity conducted constitutes industrial warehousing, or port and harbor operations and cargo handling, including port or port and harbor activity.

Present law defines "port or port and harbor activity" as any trade or business described in the 1997 North American Industry Classification System (NAICS) within Subsector 493 (Warehousing and Storage), Industry Number 488310 (Port and Harbor Operations), or Industry Number 488320 (Marine Cargo Handling), when the trade or business is conducted on premises in which a duly recognized port authority has an ownership, leasehold, or other possessory interest and such premises are used as part of the operations of a port authority.

Proposed law retains present law but adds the 2012 NAICS Industry Number 336611 relative to Ship Building and Repairing to the trades and businesses included within the definition of "port or port and harbor activity".

(Amends R.S. 47:6036(B)(8))