

CONFERENCE COMMITTEE REPORT
House Bill No. 824 By Representative Leger

June 1, 2014

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 824 by Representative Leger, recommend the following concerning the Reengrossed bill:

1. That Senate Committee Amendment No. 1 proposed by the Senate Revenue and Fiscal Affairs Committee and adopted by the Senate on May 15, 2014, be rejected.
2. That Senate Committee Amendment No. 2 proposed by the Senate Revenue and Fiscal Affairs Committee and adopted by the Senate on May 15, 2014, be adopted.
3. That the Reengrossed bill be amended as follows:

AMENDMENT NO. 1

In Senate Committee Amendment No. 2 proposed by the Senate Revenue and Fiscal Affairs Committee and adopted by the Senate on May 15, 2014, on page 1, line 4, after "page 2, line" delete the remainder of the line and delete line 5 in its entirety and insert "12, after "Act" and before the period "." insert the following:"

AMENDMENT NO. 2

In Senate Committee Amendment No. 2 proposed by the Senate Revenue and Fiscal Affairs Committee and adopted by the Senate on May 15, 2014, on page 1, line 6, after "to" and before "by" delete "approval" and insert "oversight"

Respectfully submitted,

Representative Walt Leger III

Senator Neil Riser

Representative Joel C. Robideaux

Senator Richard "Rick" Gallot, Jr.

Representative Helena N. Moreno

Senator Jack Donahue

 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)]

CONFERENCE COMMITTEE REPORT DIGEST

House Bill No. 824 by Representative Leger

Keyword and oneliner of the instrument as it left the House

TAX CREDITS: Provides relative to the application fee for projects applying for the rehabilitation of historic structures tax credit applicable to nonresidential property

Report rejects Senate amendments which would have:

1. Required the House Ways and Means and the Senate Revenue and Fiscal Affairs Committees to "approve" the amount of the fee set forth in rules promulgated by the Dept. of Culture, Recreation, and Tourism rather than "oversight" of the rules.
2. Required the House Ways and Means and Senate Revenue and Fiscal Affairs Committees to approve the amount of the tax credit transfer processing fee set forth in rules promulgated by the Dept. of Revenue.

Digest of the bill as proposed by the Conference Committee

Present law authorizes an income tax credit for eligible costs and expenses incurred during the rehabilitation of a historic structure located in a downtown development or a cultural district. The amount of the credit shall not exceed 25% of the eligible costs and expenses of the rehabilitation. In order to qualify for the credit, the historic structure must be located in a downtown development or cultural district listed on the National Register of Historic Places or be certified by the state historic preservation office as contributing to the historical significance of the district. Eligible structures include nonresidential real property or residential rental property.

Present law requires the state historic preservation office to charge a fee of \$250 per application.

Proposed law retains present law but changes the fee amount from \$250 per application to an amount to be determined by rule promulgated by the Dept. of Culture, Recreation, and Tourism in accordance with the Administrative Procedure Act (APA).

Present law grants legislative oversight authority to the House Committee on Municipal, Parochial, and Cultural Affairs and the Senate Committee on Commerce, Consumer Protection, and International Affairs over rules promulgated by the Dept. of Culture Recreation, and Tourism.

Proposed law retains present law and changes legislative oversight authority to the House Committee on Ways and Means and the Senate Committee on Revenue and Fiscal Affairs over Dept. of Culture, Recreation, and Tourism rules promulgated regarding the amount of the tax credit application fee.

Present law authorizes the sale and transfer of unused tax credits.

Proposed law retains present law and adds a requirement for the payment of a tax credit transfer processing fee as part of the notification to the Dept. of Revenue relative to the transfer of a tax credit. The Dept. of Revenue is authorized to establish the amount of the fee by rule promulgated in accordance with the APA subject to oversight by the House

Committee on Ways and Means and the Senate Committee on Revenue and Fiscal Affairs.

Effective July 1, 2014.

(Amends R.S. 47:6019(A)(2)(c) and (3)(b)(i)(cc))