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HOUSE FLOOR AMENDMENTS

2015 Regular Session

Amendments proposed by Representative Stokes to Engrossed House Bill No. 748 by Representative Stokes

1 AMENDMENT NO. 1

2 On page 1, line 3, after "(b)(iii)," delete the remainder of the line and delete line 4 in its
3 entirety and insert the following:

4 "(4)(e), (D)(2)(d)(i), (E), and (F)(1), and to enact R.S. "47:6007(17) and (18),
5 (C)(1)(c)(iii), (D)(1)(d)(iv) and (v) and (2)(d)(iii), (F)(4), G, and H,"

6 AMENDMENT NO. 2

7 On page 1, line 14, after "(b)(iii)," and before "(D)(2)(d)(i)" insert "(4)(e),"

8 AMENDMENT NO. 3

9 On page 1, line 15, after "(B)(17)" delete the comma "," and insert "and (18)"

10 AMENDMENT NO. 4

11 On page 1, line 15, after "(2)(d)(iii)," and before "(G)" insert "(F)(4)"

12 AMENDMENT NO. 5

13 On page 2, line 5, after "platform" and before the period "." delete "as provided by the
14 office" and insert the following:

15 "as may be further defined by the office through the promulgation of rules"

16 AMENDMENT NO. 6

17 On page 2, line 21, after "taxes" and before "or" insert a comma "₂"

18 AMENDMENT NO. 7

19 On page 3, line 15, after "investor" and before "motion" delete the comma "₂" and insert "in
20 a production, a"

21 AMENDMENT NO. 8

22 On page 4, at the end of line 21, insert "made"

23 AMENDMENT NO. 9

24 On page 4, between lines 24 and 25, insert the following:

25 "(4) Transferability of the credit. Any motion picture tax credits not
26 previously claimed by any taxpayer against its income tax may be transferred or sold

1 to another Louisiana taxpayer or to the office, subject to the following conditions:(3)
 2 Application of the credit.

3 * * *

4 (e) To the extent that the transferor did not have rights to claim or use the
 5 credit at the time of the transfer, the Department of Revenue shall ~~either disallow the~~
 6 ~~credit claimed by the transferee or recapture the credit from the transferee through~~
 7 ~~any collection method authorized by R.S. 47:1561. The transferee's recourse is~~
 8 ~~against the transferor~~ have recourse against the transferor."

9 AMENDMENT NO. 10

10 On page 5, line 7, after "other" delete the remainder of the line and at the beginning of line
 11 8, delete "compelling" and insert "compelling reason or circumstance for which the secretary
 12 determines"

13 AMENDMENT NO. 11

14 On page 5, line 16, after "by this" and before the comma "," delete "provision" and insert
 15 "Section"

16 AMENDMENT NO. 12

17 On page 6, line 14, after "(1)" and before "previously" delete "Credits" and insert the
 18 following:

19 "Except as provided in Paragraph (4) of this Subsection, credits"

20 AMENDMENT NO. 13

21 On page 6, line 15, after "claimed" and before "or" insert a comma ","

22 AMENDMENT NO. 14

23 On page 6, at the beginning of line 20, insert "by"

24 AMENDMENT NO. 15

25 On page 6, after line 29, insert the following:

26 "(4) No disallowance or recapture of a tax credit shall be allowed for a tax
 27 credit claimed by a good faith purchaser who acquired the credit through a transfer
 28 authorized pursuant to this Section."

29 AMENDMENT NO. 16

30 On page 7, line 2, after "and the" and before "shall" delete "motion picture production
 31 company" and insert "taxpayer"

32 AMENDMENT NO. 17

33 On page 7, delete line 3 in its entirety and insert the following:

34 "establishing eligibility for tax credits by a preponderance of the evidence."

35 AMENDMENT NO. 18

36 On page 7, delete line 26 in its entirety and insert the following:

1 "the burden of establishing eligibility for tax credits by a preponderance of the
2 evidence."