

2016 Regular Session

HOUSE BILL NO. 737

BY REPRESENTATIVE ABRAMSON

REVENUE DEPARTMENT: Changes the deadline for the submission of annual reports to the Department of Revenue regarding deductions and withholdings of employee wages

1 AN ACT

2 To amend and reenact R.S. 47:114(E), relative to the Department of Revenue; to provide
3 with respect to deductions and withholdings by certain employers; to provide for the
4 submission of certain returns to the department; to change the deadline for the
5 submission of certain returns; to provide for applicability; to provide for an effective
6 date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 47:114(E) is hereby amended and reenacted to read as follows:

9 §114. Returns and payment of tax

10 * * *

11 E. Date for filing annual returns. ~~On or before the first business day~~
12 ~~following February twenty-seventh of each year for the preceding calendar year, an~~
13 An employer shall file an annual return with the secretary on or before January
14 thirty-first of each year for the preceding calendar year.

15 * * *

16 Section 2. The provisions of this Act shall be applicable to all taxable years
17 beginning on and after January 1, 2016.

1 Section 3. This Act shall become effective upon signature by the governor or, if not
2 signed by the governor, upon expiration of the time for bills to become law without signature
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become
5 effective on the day following such approval.

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)]

HB 737 Engrossed

2016 Regular Session

Abramson

Abstract: Changes the date for employers to file annual returns with the Dept. of Revenue regarding deductions and withholdings from the 1st business day following February 27th of each year to Jan. 31st of each year.

Present law requires every employer who is required to deduct and withhold any tax under present law and every person who deducts and withholds any amount from any wage payments under the authority of present law to make a calendar quarterly return to the secretary. Further provides for the deadline for the filing of quarterly returns as well as the amount of the tax paid to the department by employers.

Present law additionally requires every employer to file an annual return with the secretary that reconciles all previously filed quarterly returns for the calendar year together with copies of the receipts required to be furnished under present law for that same period. The secretary is authorized to grant a reasonable extension of time, not in excess of 30 days, for filing of the annual return and to waive the filing requirement for an employer if the employer requests a waiver due to hardship.

Proposed law retains present law.

Present law requires employers to file the annual return with the secretary on or before the 1st business day following February 27th of each year for the preceding calendar year.

Proposed law changes the date for the filing of the annual return from on or before the 1st business day following February 27th of each year to on or before Jan. 31st of each year.

Applicable for all taxable years beginning on and after Jan. 1, 2016.

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

(Amends R.S. 47:114(E))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Ways and Means to the original bill:

1. Change the due date of the annual report from Jan. 31st of each year to on or before Jan. 31st of each year.