

Regular Session, 2012

HOUSE BILL NO. 490

BY REPRESENTATIVE ROBIDEAUX

REVENUE DEPARTMENT: Provides for the uniform administration of donations designated on income tax returns

1 AN ACT

2 To amend and reenact R.S. 47:120.37, relative to the Department of Revenue; to provide
3 with respect to donations made on income tax returns for certain charitable and
4 philanthropic purposes; to require a uniform policy of administration for donated
5 monies; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 47:120.37 is hereby amended and reenacted to read as follows:

8 §120.37. Refund designation on tax form

9 A. Notwithstanding ~~any other provisions of this Part~~ any provision set forth
10 in R.S. 47:120.3 through 120.101 or any other provision of law to the contrary, the
11 designation to donate all or any portion of the total amount of tax refund shall be
12 made at the time of the filing of the current year tax return and shall be made on the
13 income tax return form as prescribed by the secretary of the Department of Revenue.

14 B. When the total amount of tax refunds donated to any donee is less than
15 ten thousand dollars per year for two consecutive years, designation of such donee
16 shall be removed from the income tax form.

17 C. Notwithstanding ~~any other provisions of this Part~~ any provision set forth
18 in R.S. 47:120.3 through 120.101 or any other provision of law to the contrary, upon
19 receipt of any taxpayer's current year income tax return upon which the designation
20 of a donation has been made, the secretary shall enter in a central record the amount

1 of the donation and the name of the donor. ~~The~~ Notwithstanding any provision set
 2 forth in R.S. 47:120.3 through 120.101 or any other provision of law to the contrary,
 3 the amount of the donations received by the secretary, less twenty percent credited
 4 to the department's expenses to defray administrative and printing expenses, shall be
 5 disbursed to the designated donee ~~or as provided in the Act establishing such~~
 6 ~~donation~~ before March first of the year following the year in which the tax return
 7 was filed. Following the initial disbursement of monies, the secretary shall quarterly
 8 disburse monies to the designated donees. The provisions of this Subsection shall
 9 supercede any other provision of law in Title 47 of the Louisiana Revised Statutes
 10 of 1950, to the contrary.

11 D. The provisions of this ~~Subpart~~ Section shall be applicable to all
 12 existing and future refund donations; ~~including but not limited to donations provided~~
 13 ~~by Subparts G, H, and I of this Part and Part VI of Chapter 4 of Title 46 of the~~ as
 14 provided for in Chapter 1 of Title 47 of the Louisiana Revised Statutes of 1950.

15 Section 2. This Act shall become effective on June 30, 2012; if vetoed by the
 16 governor and subsequently approved by the legislature, this Act shall become effective on
 17 June 30, 2012, or on the day following such approval by the legislature, whichever is later.

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)]

Robideaux

HB No. 490

Abstract: Establishes a uniform method of administration for donations made for charitable and philanthropic organizations on income tax returns.

Present law authorizes the donation of income tax refunds for purposes of specific charitable and philanthropic organizations.

Present law provides various methods for the administration of such monies.

Proposed law provides a uniform method of administration for donations authorized by present law. Donated monies shall be disbursed by the secretary of the Dept. of Revenue to the respective recipient entities on a quarterly basis.

Effective June 30, 2012.

(Amends R.S. 47:120.37)

Summary of Amendments Adopted by House

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

1. Changed the distribution schedule from March of each year to quarterly.