

2023 Regular Session

HOUSE BILL NO. 657 (Substitute for House Bill No. 386 by Representative Beaulieu)

BY REPRESENTATIVE BEAULLIEU

TAX/INCOME TAX: Provides relative to tax benefits for adoption of children from foster care and donations to foster care charitable organizations

1 AN ACT

2 To amend and reenact R.S. 47:297.20(C) and 6042(B)(introductory paragraph) and (1), (D),

3 and (F)(4), relative to tax benefits for adoption of children from foster care and

4 donations to foster care charitable organizations; to provide relative to a tax

5 deduction for adoption of children from foster care; to provide relative to a tax credit

6 for donations to foster care charitable organizations; to provide for administration of

7 the tax deduction and tax credit by the Department of Revenue; to provide for

8 applicability; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 47:297.20(C) and 6042(B)(introductory paragraph) and (1), (D), and

11 (F)(4) are hereby amended and reenacted to read as follows:

12 §297.20. Tax deduction; adoption from foster care

13 * * *

14 C.(1) The secretary of the Department of Revenue may promulgate rules in

15 accordance with the Administrative Procedure Act to implement the provisions of

16 this Section, including rules related to the submission of documentation when

17 claiming the deduction.

1 receives from Louisiana residents will be spent on providing services to qualified
2 individuals.

3 ~~(d)~~ (iv) Is approved by the department after applying as provided in
4 Subsection B of this Section.

5 * * *

6 Section 2. The provisions of this Act shall apply to taxable periods beginning on or
7 after January 1, 2023.

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 657 Engrossed

2023 Regular Session

Beaulieu

Abstract: Provides relative to administration of a tax deduction for adoption of children from foster care and a tax credit for donations to foster care charitable organizations.

Present law authorizes and provides for a tax deduction for adoption of children from foster care. Authorizes the secretary of the Dept. of Revenue, referred to hereafter as the "department", to promulgate rules to implement present law, including rules related to submission of documentation when claiming the deduction.

Proposed law retains present law and stipulates that if the rules of the department require the submission of a deduction eligibility certification letter and the secretary determines that the process of obtaining that letter is an impediment to, or causes an undue burden for, claiming of the deduction, then the secretary may amend the rules to provide for an alternative process for eligibility certification. Provides that such process may include certification on a standardized form.

Present law authorizes and provides for a tax credit for donations to foster care charitable organizations. Proposed law makes the following changes to present law:

- (1) Provides that certification of eligibility for the tax deduction for adoption of children from foster care may be on a standardized form promulgated in rule by the secretary of the Dept. of Revenue.
- (2) Provides that receipts for donations to qualifying foster care charitable organizations shall conform with standards for written acknowledgment of certain charitable contributions required by the Internal Revenue Service.
- (3) Provides that any nonprofit foster care organization licensed by and in good standing with the Dept. of Children and Family Services shall be deemed a "qualifying foster care charitable organization" or "foster care organization" pursuant to present law.

Proposed law applies to taxable periods beginning on or after Jan. 1, 2023.

(Amends R.S. 47:297.20(C) and 6042(B)(intro. para.) and (1), (D), and (F)(4))