

2016 Regular Session

SENATE BILL NO. 40

BY SENATOR PERRY

TAX/TAXATION. Re-creates the income tax checkoff donation for Friends of Palmetto Island State Park. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 47:120.37(B) and to enact R.S. 47:120.131(D), relative to  
3 donations of refunds; to provide for such donations to the Friends of Palmetto Island  
4 State Park, Inc.; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 47:120.37(B) is hereby amended and reenacted and R.S.  
7 47:120.131(D) is hereby enacted to read as follows:

8 §120.37. Refund designation on tax form

9 \* \* \*

10 B. ~~When~~ **Except as provided in R.S. 47:120.131, when** the total amount of  
11 tax refunds donated to any donee is less than ten thousand dollars per year for two  
12 consecutive years, designation of such donee shall be removed from the income tax  
13 form.

14 \* \* \*

15 §120.131. Income tax checkoff; donation for Friends of Palmetto Island State Park,  
16 Inc.

17 \* \* \*

1                    **D. Notwithstanding the provisions of R.S. 47:120.37(B), the donation**  
2                    **provided for in this Section shall not be removed from the individual income tax**  
3                    **return.**

4                    Section 2. The provisions of this Act shall be applicable to taxable years beginning  
5                    on or after January 1, 2016.

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

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Leonore Heavey.

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## DIGEST

SB 40 Engrossed

2016 Regular Session

Perry

Present law provides that all individual income tax checkoff donations under which an individual can donate a portion of his state income tax refund shall be removed from the return if the donations are not \$10,000 or more for two consecutive years.

Proposed law retains present law.

Proposed law exempts the Friends of Palmetto Island State Park Fund refund checkoff donation from the dollar limitation.

Applicable to taxable periods beginning on or after January 1, 2016.

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

(Amends R.S. 47:120.37(B); adds R.S. 47:120.131(D))