

BY REPRESENTATIVE MAGEE AND SENATORS ABRAHAM, BARROW, BERNARD, BOUDREAUX, BOUIE, CARTER, CATHEY, CONNICK, CORTEZ, FIELDS, FOIL, HARRIS, HEWITT, JOHNS, LUNEAU, MCMATH, MILLIGAN, ROBERT MILLS, MIZELL, PRICE, REESE, SMITH, TALBOT, TARVER, WARD, AND WOMACK

AN ACT

To amend and reenact R.S. 47:6019(A)(1)(a) and (C) and to enact R.S. 47:6019(A)(1)(e), relative to the tax credit for the rehabilitation of historic structures; to extend the date for certain expenses to qualify for the tax credit; to establish an annual cap on the maximum amount of credits that may be reserved; to provide for the effectiveness of the tax credit; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:6019(A)(1)(a) and (C) are hereby amended and reenacted and R.S. 47:6019(A)(1)(e) is hereby enacted to read as follows:

§6019. Tax credit; rehabilitation of historic structures

A.(1)(a) There shall be a credit against income and corporation franchise tax for the amount of eligible costs and expenses incurred during the rehabilitation of a historic structure located in a downtown development or a cultural district. The amount of the credit shall equal twenty-five percent of the eligible costs and expenses of the rehabilitation incurred prior to January 1, 2018, regardless of the year in which the property is placed in service. The amount of the credit shall equal twenty percent of the eligible costs and expenses of the rehabilitation incurred on or after January 1, 2018, and before ~~January 1, 2022~~ January 1, 2026, regardless of the year in which the property is placed in service. No credit is authorized pursuant to this Section for expenses incurred on or after ~~January 1, 2022~~ January 1, 2026.

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(e) For State of Louisiana Commercial Rehabilitation Tax Credit Part 2 applications received by the Department of Culture, Recreation and Tourism on or after January 1, 2021, the maximum aggregate total of tax credits that may be reserved by all taxpayers pursuant to the provisions of this Section shall not exceed one hundred twenty-five million dollars annually. If the amount of tax credit reservations issued in a calendar year is less than one hundred twenty-five million dollars, the excess reservation amount shall be available for issuance in any subsequent calendar year. The Department of Culture, Recreation and Tourism shall establish by rule the method of reserving available tax credits including, but not limited to a first-come, first-served system or any other method that the Department of Culture, Recreation and Tourism determines to be beneficial to the program. Rules promulgated pursuant to the provisions of this Subparagraph shall be subject to oversight by the House Committee on Ways and Means and the Senate Committee on Revenue and Fiscal Affairs. The Department of Revenue and the Department of Culture, Recreation and Tourism shall make reasonable efforts to post a listing of estimated credit amounts remaining under the annual cap on their websites.

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C. The provisions of this Section shall be effective for the taxable years ending prior to ~~January 1, 2022~~ January 1, 2026.

Section 2. This Act shall become effective on July 1, 2020; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2020, or on the day following such approval by the legislature, whichever is later.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____