

Regular Session, 2012

HOUSE BILL NO. 300

BY REPRESENTATIVES LEGER, BARROW, WESLEY BISHOP, BROADWATER, BURFORD, HAZEL, HOFFMANN, JOHNSON, LAMBERT, LORUSSO, RITCHIE, ROBIDEAUX, THIBAUT, WHITNEY, PATRICK WILLIAMS, AND WILLMOTT

TAX/INCOME TAX: Authorizes the addition of a donation to the American Red Cross as a "check off" on the individual income tax return form

1 AN ACT

2 To enact Subpart DD of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana
3 Revised Statutes of 1950, to be comprised of R.S. 47:120.106, relative to state
4 individual income tax return checkoffs for certain donations; to provide for a method
5 for individuals to donate all or a portion of any refund due to them to the American
6 Red Cross; to provide for the administration and disbursement of donated monies;
7 to provide for reporting; to provide for an effective date; and to provide for related
8 matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. Subpart DD of Part I of Chapter 1 of Subtitle II of Title 47 of the
11 Louisiana Revised Statutes of 1950, comprised of R.S. 47:120.106, is hereby enacted to read
12 as follows:

13 SUBPART DD. RED CROSS CHECKOFF DONATION

14 §120.106. Income tax checkoff; donation for American Red Cross

15 A. Every individual who files an individual income tax return for the current
16 tax year and who is entitled to a refund may designate on his current year return that
17 all or any portion of the total amount of the refund to which he is entitled shall be
18 donated to the American Red Cross in lieu of that amount being paid to him as a
19 refund. In this case the refund shall be reduced by the amount so designated. The

1 designation shall be made at the time of filing the current year tax return and shall
 2 be made upon the income tax return form as prescribed by the secretary of the
 3 Department of Revenue. Donated monies shall be administered by the secretary and
 4 distributed to the American Red Cross in accordance with the provisions of R.S.
 5 47:120.37. No donation made under the provisions of this Subpart shall be invalid
 6 for want of an authentic act.

7 B. The House Committee on Ways and Means, may, at its discretion, request
 8 a report from the American Red Cross relative to its operations. The form and
 9 content of the report shall be prescribed by the chairman of the committee, but shall
 10 at a minimum contain a detailed explanation of the revenues and expenditures, as
 11 well as a description of the organization's activities. The committee may summon
 12 any person employed by or associated with the American Red Cross to provide
 13 testimony with respect to the report.

14 Section 2. The provisions of this Act shall be effective for taxable years beginning
 15 on or after January 1, 2012.

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)]

Leger

HB No. 300

Abstract: Provides for an individual income tax checkoff for donations to the American Red Cross.

Proposed law provides for an income tax checkoff under which an individual can donate all or a portion of his state income tax refund to the American Red Cross in lieu of that amount being paid as a refund.

Proposed law requires donated monies to be administered by the secretary of the Dept. of Revenue and to be quarterly disbursed to donees.

Proposed law authorizes the House Committee on Ways and Means, at its discretion, to request reports from the American Red Cross relative to its operations. The form and content of the report shall be prescribed by the chairman of the committee, but shall at a minimum contain a detailed explanation of the revenues and expenditures, as well as a description of the organization's activities.

Effective for taxable years beginning on or after Jan. 1, 2012.

(Adds 47:120.106)

Summary of Amendments Adopted by House

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

1. Deleted establishment of the American Red Cross Fund for deposit of monies related to donations made on tax returns for the benefit of the American Red Cross. Further deleted requirement that the treasurer remit the balance of monies in the fund to the American Red Cross every three months.
2. Added provision for the uniform administration and disbursement of monies donated on tax returns by the secretary of the Dept. of Revenue.