

Regular Session, 2010

HOUSE BILL NO. 525

BY REPRESENTATIVE FANNIN

TAX/INCOME-INDIV/RETURN: Requires DPS&C and the Board of Parole to participate in the offset program established within the Dept. of Revenue to collect past due probation or parole fees

1 AN ACT

2 To enact R.S. 47:299.21, relative to offset claims against individual income tax refunds; to  
3 require the Department of Public Safety and Corrections and the Board of Parole to  
4 file such a claim under certain circumstances; to provide for an effective date; and  
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 47:299.21 is hereby enacted to read as follows:

8 §299.21. Collection of past due probation or parole fees; Department of Public  
9 Safety and Corrections; Board of Parole

10 In addition to any other legal remedies provided by law, the Department of  
11 Public Safety and Corrections, division of probation and parole, hereinafter  
12 "department", and the Board of Parole, hereinafter "board", shall seek the collection  
13 of past due probation or parole fees imposed by the department or board against a  
14 person convicted of a criminal offense and committed to the department for a term  
15 of imprisonment from state tax refunds. The department and the board shall be  
16 required to participate in the program established within the Department of Revenue  
17 to offset individual income tax refunds against debts owed to state agencies. The  
18 department and the board shall comply with all of the requirements and rules of such  
19 program as provided for in R.S. 47:299.1 et seq.

1           Section 2. This Act shall become effective upon signature by the governor or, if not  
2 signed by the governor, upon expiration of the time for bills to become law without signature  
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
5 effective on the day following such approval.

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#### 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)]

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Fannin

HB No. 525

**Abstract:** Requires DPS&C and the Board of Parole to participate in the offset program established within the Dept. of Revenue to collect past due probation or parole fees.

Present law provides for a program within the Department of Revenue (DOR) which permits state agencies to make claims to offset against amounts refundable to an individual because of overpayments of state income taxes for debts owed by the individual to such state agency. Further provides for the procedure for making offset claims with the DOR.

Proposed law retains present law but makes participation in the offset program mandatory, rather than permissive, for DPS&C and the Board of Parole for the collection of past due probation or parole fees imposed by the DPS&C or the board against a person convicted of a criminal offense and committed to DPS&C for a term of imprisonment.

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

(Adds R.S. 47:299.21)