2017 Second Extraordinary Session

HOUSE CONCURRENT RESOLUTION NO. 1

BY REPRESENTATIVE LEGER

LEGISLATION: Provides relative to the legislative intent regarding the effectiveness provisions of the Act that originated as House Bill No. 646 of the 2017 Regular Session of the Legislature

1	A CONCURRENT RESOLUTION
2	To express the intent of the legislature regarding the meaning of certain effectiveness
3	provisions contained in the Act that originated as House Bill No. 646 of the 2017
4	Regular Session of the Legislature of Louisiana.
5	WHEREAS, R.S. 24:177(B)(2)(b) provides that the "legislature may express the
6	intended meaning of a law in a duly adopted concurrent resolution, by the same vote and,
7	except for gubernatorial veto and time limitations for introduction, according to the same
8	procedures and formalities required for enactment of that law"; and
9	WHEREAS, during the 2017 Regular Session of the Legislature of Louisiana, the
10	legislature enacted Section 3 of the Act that originated as House Bill No. 646 of the 2017
11	Regular Session of the Legislature, which states "Notwithstanding Section 8 of Act No. 125
12	of the 2015 Regular Session, as amended by Act No. 29 of the 2016 First Extraordinary
13	Session, R.S. 47:6023(C)(1) and (3)(introductory paragraph) as enacted by Section 5 of that
14	Act shall not become effective and R.S. 47:6023(C)(1) and (3)(introductory paragraph) as
15	amended and reenacted by Section 2 of that Act shall remain effective"; and
16	WHEREAS, Section 2 of Act No. 125 of the 2015 Regular Session of the Legislature
17	reduced the amount of certain tax credits, including the tax credit in R.S. 47:6023, by
18	twenty-eight percent effective July 1, 2015, through June 30, 2018, and Section 5 of Act No.
19	125 of the 2015 Regular Session of the Legislature restored the full amount of the tax credits
20	that were reduced effective July 1, 2018; and

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1	WHEREAS, in addition to the language in Section 3 of the Act that originated as
2	House Bill No. 646 of the 2017 Regular Session of the Legislature relative to the
3	effectiveness of R.S. 47:6023(C)(1) and (3)(introductory paragraph), Section 1 of that Act
4	amends R.S. 47:6023(C)(1) and (3)(introductory paragraph) effective August 1, 2017; and
5	WHEREAS, there may be confusion about the legislature's intended meaning of the
6	phrase in Section 3 of the Act that originated as House Bill No. 646 of the 2017 Regular
7	Session of the Legislature that "R.S. 47:6023(C)(1) and (3)(introductory paragraph) as
8	amended and reenacted by Section 2 of that Act shall remain effective"; and
9	WHEREAS, the Legislature of Louisiana does hereby express its intent regarding the
10	meaning of the phrase "R.S. 47:6023(C)(1) and (3)(introductory paragraph) as amended and
11	reenacted by Section 2 of that Act shall remain effective" as used in Section 3 of the Act that
12	originated as House Bill No. 646 of the 2017 Regular Session of the Legislature, and in light
13	of Section 1 of that Act, as meaning that the amount of the tax credit in R.S. 47:6023(C)(1)
14	and (3)(introductory paragraph) that was reduced in Section 2 of Act No. 125 of the 2015
15	Regular Session of the Legislature of Louisiana would not be restored to the full amount of
16	the tax credit as provided for in Section 5 of Act No. 125 of the Regular Session of the
17	Legislature of Louisiana.
18	THEREFORE, BE IT RESOLVED that it is the intent of the Legislature that R.S.
19	47:6023(C)(1) and (3)(introductory paragraph) as amended by Section 1 of the Act that
20	originated as House Bill No. 646 of the 2017 Regular Session of the Legislature of Louisiana
21	shall be given full effect notwithstanding any contradictory language in Section 3 of that
22	Act.
23	BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the
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24 Louisiana State Law Institute.

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

HCR No. 1

Present law (R.S. 24:177(B)(2)) authorizes the legislature to express the intended meaning of a law in a duly adopted concurrent resolution, by the same vote and, except for

gubernatorial veto and time limitations for introduction, according to the same procedures and formalities required for enactment of that law.

<u>Proposed resolution</u> expresses the intent of the legislature that R.S. 47:6023(C)(1) and (3)(introductory paragraph) as amended by Section 1 of the Act that originated as HB No. 646 of the 2017 R.S. of the Legislature of Louisiana shall be given full effect notwithstanding any contradictory language in Section 3 of that Act.