

RULE

Department of Revenue Tax Policy and Planning Division

Corporation Returns (LAC 61:I.1148)

Under the authority of R.S. 47:287.441, 287.444, 287.601, 287.612, 287.614, 287.623, 287.651, 287.732, 287.785 and 1511 and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Revenue, Tax Policy and Planning Division, has amended LAC 61:I.1148 relative to the requirements of filing a final return upon liquidation or dissolution of a corporation.

The purpose of this Rule is to simplify the process of closing a corporation's account with the department by eliminating documentation requirements associated with filing a final corporation income tax return upon the liquidation or dissolution of a corporation. Additionally, the Rule updates any reference to the due date for the filing of a corporation income tax return.

This Rule is written utilizing plain language principles to ensure clarity and accessibility for all users. It has also been reviewed and tested for compliance with web accessibility standards. This Rule is hereby adopted on the day of promulgation.

Title 61

REVENUE AND TAXATION

Part I. Taxes Collected and Administered by the Secretary of Revenue

Chapter 11. Income: Corporation Income Tax §1148. Corporation Returns

A. ...

B. - B.7. Repealed.

C. - D.1. ...

2. Except as otherwise provided herein, when a change in ownership results in a change to the accounting period, the filing of two short period returns is required. The due date of the first short period return is the fifteenth day of the fifth month following the last day of the calendar month in which the change in ownership occurred. The due date of the last short period return is the due date of the new accounting period year-end return.

3. When a one-day return is required under federal law, that one-day is a separate accounting period for Louisiana reporting purposes. A separate return is required for that one day. This will usually result in the filing of three short period returns. The due date of the first short period return is the fifteenth day of the fifth month following the last day of the calendar month in which the change in ownership occurred. The due date of the one-day return is the fifteenth day of the fifth month following the last day of the calendar month in which the one-day falls. The due date of the last short period return is the due date of the new accounting period year-end return.

4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:287.441, R.S. 47:287.444, R.S. 47:287.601, R.S. 47:287.612, R.S. 47:287.614, R.S. 47:287.623, R.S. 47:287.651, R.S. 47:287.732, R.S. 47:287.785 and R.S. 47:1511.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Income Tax Section, LR 14:108 (February 1988), repromulgated by the Department of Revenue, Policy Services Division, LR 30:485 (March 2004), amended LR 30:2860 (December 2004), amended by the Department of Revenue, Tax Policy and Planning Division, LR 52:1513 (September 2026).

Jarrold J. Coniglio
Secretary

2609#020

RULE

Department of Revenue Tax Policy and Planning Division

Income: Corporation Income Tax (LAC 61:I.1135 and 1136)

Under the authority of R.S. 47:1511 and 287.95 and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Revenue, Tax Policy and Planning Division amends LAC 61:I.1135 and 1136 relative to the sourcing and exclusion of certain sales for purposes of calculating Louisiana income.

The Rule implements Act 430 of the 2023 Regular Session. Act 430 removes certain sales from the types of sales treated as apportionable income and eliminates the requirement to exclude unassignable sales from both the numerator and the denominator of the sales factor.

This Rule is written utilizing plain language principles to ensure clarity and accessibility for all users. It has also been reviewed and tested for compliance with web accessibility standards. This Rule is hereby adopted on the day of promulgation.

Title 61

REVENUE AND TAXATION

Part I. Taxes Collected and Administered by the Secretary of Revenue

Chapter 11. Income: Corporation Income Tax §1135. Sourcing of Sales Other Than Sales of Tangible Personal Property

A. - B. ...

1. determining whether and to what extent the market for a sale other than the sale of tangible personal property is in Louisiana, and

2. reasonably approximating the state or states of assignment where the state or states cannot be determined.

3. - 4. Repealed.

C. - F.3. ...

G. Rule with Respect to Sales Factor

1. The sales factor only includes those amounts defined as sales under applicable statutes and regulations.

2. - 4. Repealed.

H. - H.2.b.i.(d)....

c. Rule of Reasonable Approximation. In an instance in which the state or states where a service is actually received cannot be determined, but the taxpayer has sufficient information regarding the place of sale from which it can reasonably approximate the state or states where the service is received, the taxpayer shall reasonably approximate such state or states.

3. - 5.b....

I. Sale of Immovable Property. In the case of the sale of immovable property, the receipts are sourced to Louisiana if and to the extent that the immovable property is located in Louisiana.

J. Repealed.

K. Lease or License of Intangible Property. In the case of the lease or license of intangible property, the receipts are sourced to Louisiana if and to the extent that the intangible property is used in Louisiana.

L. - L.3.a. ...

4. - 4.a. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511 and R.S. 47:287.95

HISTORICAL NOTE: Promulgated by the Department of Revenue, LR 44:2218 (December 2018), amended by the Department of Revenue, Tax Policy and Planning Division, LR 52:1513 (September 2026).

§1136. Sourcing of Certain Sales of Tangible Personal Property

A. ...

B. - C.2. Repealed.

D. ...

E. Repealed.

F. - F.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511 and R.S. 47:287.95.

HISTORICAL NOTE: Promulgated by the Department of Revenue, LR 44:2221 (December 2018), amended by the Department of Revenue, Tax Policy and Planning Division, LR 52:1514 (September 2026).

Jarrod J. Coniglio
Secretary

2609#021

RULE

Department of Revenue Tax Policy and Planning Division

Income Tax Withholding on Gaming Winnings (LAC 61:I.1525)

Under the authority of R.S. 47:1511 and 164(F) and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Revenue, Tax Policy and Planning Division, amends LAC 61:I.1525 relative to the Income Tax Withholding on Gaming Winnings.

The purpose of this Rule is to repeal provisions that duplicate statutory requirements for income tax withholding on gaming winnings. Act 133 of the 2024 Regular Legislative Session enacted R.S. 47:164(D)(3), (E), and (F), which codify these requirements. Accordingly, the Department repeals the duplicative provisions in LAC 61:I.1525.

This Rule is written utilizing plain language principles to ensure clarity and accessibility for all users. It has also been reviewed and tested for compliance with web accessibility standards. This Rule is hereby adopted on the day of promulgation.

Title 61

REVENUE AND TAXATION

Part I. Taxes Collected and Administered by the Secretary of Revenue

Chapter 15. Income: Withholding Tax

§1525. Income Tax Withholding on Gaming Winnings

A. - A.3. Repealed.

B. - B.2. ...

AUTHORITY NOTE: Promulgated in accordance with Act 80 of the 2021 Regular Session of the Louisiana Legislature, R.S. 47:32(A), R.S. 47:164, and R.S. 47:1511.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Service Division, LR 36:2877 (December 2010), LR 48:504 (March 2022), LR 52:71 (January 2026), amended by the Department of Revenue, Tax Policy and Planning Division LR 52:1514 (September 2026).

Jarrod J. Coniglio
Secretary

2609#023

RULE

Department of Revenue Tax Policy and Planning Division

Withholding by Professional Athletic Teams (LAC 61:I.1520)

Under the authority of R.S. 39:100.1 and R.S. 47:1511, 164(D), 295, 114, and 1602.1, and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Revenue, Tax Policy and Planning Division, amends LAC 61:I.1520. The amendment changes the reference to the rate of withholding from a numerical rate to the rate imposed on individuals pursuant to R.S. 47:32.

The purpose of this Rule is to align the withholding tax rate applicable to professional athletic teams with the individual income tax rate established in R.S. 47:32, so that the rate adjusts by operation of law and ensures consistent and simplified administration.

This Rule is written utilizing plain language principles to ensure clarity and accessibility for all users. It has also been reviewed and tested for compliance with web accessibility standards. This Rule is hereby adopted on the day of promulgation.

Title 61

REVENUE AND TAXATION

Part I. Taxes Collected and Administered by the Secretary of Revenue

Chapter 15. Income: Withholding Tax

§1520. Withholding by Professional Athletic Teams

A. - B.3. ...

C. Rate of Withholding. The withholding tax rate under this Section shall be computed at the rate levied on individuals pursuant to the provisions of R.S. 47:32 and applied to the compensation attributable to "duty days" spent in Louisiana.

D. - G.1.b. ...

AUTHORITY NOTE: Adopted in accordance with R.S. 39:100.1, R.S. 47:164(D), R.S. 47:295, R.S. 47:1511, R.S. 47:114 and R.S. 47:1602.1.