

Historical Note: Subsequent to the issuance of this Revenue Information Bulletin, Act 900 of the 2004 Regular Legislative Session was enacted. This Act changed the date from which interest is calculated under La. Rev. Stat. Ann. § 47:1624 by adding, “the date the first return for that tax period was filed” to the alternative dates. This Revenue Information Bulletin has been modified to reflect this change by adding the phrase “the date the first return for that tax period was filed” in two places. Act 900 is effective for refunds claimed after December 31, 2004, or taxable periods beginning on or after January 1, 2004.

Revenue Information Bulletin

No. 04-009

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Corporation Income Tax and Corporation Franchise Tax

Calculation of Refund Interest

The statutes governing the computation of interest on refunds of corporation income tax and corporation franchise tax, in the absence of bankruptcy proceedings, are set forth below. The statute that applies is determined by the source of the overpayment that generated the refund.

Corporation Income Tax

1. Interest on refunds of estimated tax is governed by La. Rev. Stat. Ann. § 47:287.657.

Interest computed under the provisions of La. Rev. Stat. Ann. § 47:287.657 is computed:

- *From* the date the return was due or from ninety days after the filing date of the return showing the overpayment, whichever is later,
- *To* the date the refund is issued,
- At the rate established pursuant to Civil Code Article 2924(B)(1) for each year. This rate is published by the Department each year as an Administrative Revenue Information Bulletin.

2. Interest on refunds resulting from net operating loss carrybacks is governed by La. Rev. Stat. Ann. § 47:287.86(H).

Interest computed under the provisions of La. Rev. Stat. Ann. § 47:287.86(H) is computed:

- *From the later of:*
 1. Ninety days after the date the request for tentative refund or claim for refund (amended return) is filed, or
 2. Ninety days after the due date of the loss year return without regard to extensions of time to file,
- *To* the date the refund is issued,

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- At the rate established pursuant to Civil Code Article 2924(B)(1) for each year. This rate is published by the Department each year as an Administrative Revenue Information Bulletin.

3. Interest on all other refunds, including refundable credits and those refunds claimed on amended returns for reasons other than application of a net operating loss carryback, is governed by La. Rev. Stat. Ann. § 47:1624.

Interest computed under the provisions of La. Rev. Stat. Ann. § 47:1624 is computed:

- *From* the date the return was due, the date the first return for that tax period was filed or from the date the tax was paid, whichever is later,
- *To* the date the refund is issued,
- At the rate established pursuant to Civil Code Article 2924(B)(1) for each year. This rate is published by the Department each year as an Administrative Revenue Information Bulletin.

Corporation Franchise Tax

1. Interest on refunds attributable to the credit for ad valorem taxes paid on certain vessels, the credit for property taxes paid by telephone companies, and amended returns is governed by La. Rev. Stat. Ann. § 47:1624.

Interest computed under the provisions of La. Rev. Stat. Ann. § 47:1624 is computed:

- *From* the date the return was due, the date the first return for that tax period was filed or from the date the tax was paid, whichever is later,
- *To* the date the refund is issued,
- At the rate established pursuant to Civil Code Article 2924(B)(1) for each year. This rate is published by the Department each year as an Administrative Revenue Information Bulletin.

2. Interest on all other refunds claimed on corporation franchise tax returns is governed by La. Rev. Stat. Ann. § 47:617.

Interest computed under the provisions La. Rev. Stat. Ann. § 47:617 is computed:

- *From* the date the return was due or from ninety days after the date the return was filed, whichever is later,
- *To* the date the refund is issued,
- At the rate established pursuant to Civil Code Article 2924(B)(1) for each year. This rate is published by the Department each year as an Administrative Revenue Information Bulletin.

Cynthia Bridges
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