

**Revenue Ruling
No. 04-003
March 30, 2004
Individual Income Tax**

Relationship Between “Final Return” and “Amended Return” in Individual Income Tax Refund Situations

Purpose

This revenue ruling concerns the relationship between “final return” as that term is used in La. Rev. Stat. Ann. § 47:115 and the term “amended return”. The relationship between these terms has implications for the computation of individual income tax refund interest. If an amended return is a final return then refund interest on an amended return would be computed under the provisions of La. Rev. Stat. Ann. § 47:115. If an amended return is *not* a final return then refund interest on an amended return would be computed under the provisions of La. Rev. Stat. Ann. § 47:1624.

Analysis/Discussion

Neither the term “final return” or “amended return” is defined in Title 47 of the Louisiana Revised Statutes of 1950. The term amended return is used in income tax refund or credit situations as a synonym for “claim for refund.” For example, La. Rev. Stat. Ann. § 47:287.86(H)(1)(a) provides:

(a) Ninety days after the date the request for tentative refund or claim for refund (amended return) is filed.

The term “final return” is used, both in federal income tax law and the income tax provisions of Title 47, in provisions dealing with withholding and estimated payments. The term final return is used to differentiate the tax return filed for a tax year from the payments of amounts estimated to be due for that year.

Conclusion

For purposes of computing individual income tax refund interest, an amended return is a claim for refund. It is not a final return. Regardless of the “source” of the refund, interest on an individual income tax refund claimed on an amended return is computed under the provisions of La. Rev. Stat. Ann. § 47:1624, not under the provisions of La. Rev. Stat. Ann. § 47:115.

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