

State of Louisiana
Department of Revenue



JEFF LANDRY
GOVERNOR

RICHARD NELSON
SECRETARY

August 22, 2024

Via e-mail (return receipt requested) to:

The Honorable Julie Emerson
Chairman of the House Committee on Ways and Means
P.O. Box 94062
Baton Rouge, Louisiana 70804
apa.h-wm@legis.la.gov

The Honorable Franklin Foil
Chairman of the Senate Committee on Revenue & Fiscal Affairs
P.O. Box 94183
Baton Rouge, Louisiana 70804
apa.s-r&f@legis.la.gov

Re: Proposed Rule LAC 61:I.1933 – Restaurant Oyster Shell Recycling Tax Credit

Chairman Emerson and Chairman Foil:

On June 10, 2024, a copy of the *Notice of Intent* issued by the Department of Revenue for promulgation of proposed Rule LAC 61:I.1933 –*Restaurant Oyster Shell Recycling Tax Credit* was sent to your committee for review. Act 404 of the 2023 Regular Legislative Session (“Act 404”) enacted R.S. 47:6043, which authorizes an income tax credit for Louisiana restaurants that donate oyster shell material to the oyster shell recycling program of the Coalition to Restore Coastal Louisiana or a Department approved oyster shell recycling program. The credit authorized by Act 404 may be claimed for taxable years beginning between January 1, 2024, and December 31, 2028. The credit is refundable and may be applied against corporation, individual, and fiduciary income taxes for the year in which donations are made. The primary purpose of this proposed regulation is to implement Act 404.

The *Notice of Intent* was published on pages 896 through 899 of the June 2024 issue of the *Louisiana Register*. A public hearing was held in the LaSalle Building on Wednesday, July 31, 2024. There were no attendees other than one Department attorney. Additionally, no written or oral comments were received. As a result, no changes will be made to the text of the proposed Rule before it is finalized.

This report is being made in accordance with R.S. 49:966(D)(1)(b) of the Administrative Procedure Act. Unless otherwise directed, the proposed Rule will be submitted for publication as a final rule in the October 2024 edition of the *Louisiana Register*. Should you have any questions or need additional information, please contact Danielle Daniels via email at danielle.daniels2@la.gov or by phone at (225) 219-1781.

Sincerely,



Luke Morris
Assistant Secretary, Office of Legal Affairs

cc: The Honorable Cameron Henry, President of the Senate,
apa.senatepresident@legis.la.gov, The Honorable Phillip DeVillier, Speaker of the House,
apa.housespeaker@legis.la.gov, Office of the State Register, Reg.Submission@la.gov