

**ACT No. 568**

2016 Regular Session

HOUSE BILL NO. 1120

BY REPRESENTATIVE SCHRODER

1 AN ACT

2 To enact R.S. 47:1525, relative to the Department of Revenue; to provide for the review and  
3 revision of the tax laws of the state; to establish the Louisiana Tax Institute; to  
4 provide for the membership, terms, powers, and duties of the Institute; to authorize  
5 the Institute to assist in the reform and continuous revision of the state's tax laws and  
6 policies; to provide for the submission of certain reports and recommendations; to  
7 provide for an effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 47:1525 is hereby enacted to read as follows:

10 §1525. Louisiana Tax Institute; membership, terms, and duties and powers

11 A. There is hereby established within the Department of Revenue the  
12 Louisiana Tax Institute, hereinafter referred to as "Institute" which shall be a public  
13 body and shall serve as the official advisory tax law revision and tax law reform  
14 agency of the state of Louisiana.

15 B.(1) The Institute shall be governed by a board of eight members which  
16 shall include:

17 (a) The secretary of the Department of Revenue, or his designee.

18 (b) A member of the governor's executive staff appointed by the governor,  
19 or his designee.

20 (c) A member from the Society of Louisiana Certified Public Accountants  
21 appointed by the chairman of the Board of the Society of Louisiana Certified Public  
22 Accountants from a list of three names submitted by the organization.

1           (d) One member representing the Taxation Section of the Louisiana State  
2           Bar Association appointed by the president of the Louisiana State Bar Association  
3           from a list of nominees submitted by the officers of the Taxation Section of the bar.

4           (e) One member from the Paul M. Hebert Law Center on the campus of  
5           Louisiana State University appointed by the dean of the law center after consultation  
6           with the dean of the Louisiana State University E.J. Ourso College of Business.

7           (f) One member from the Tulane University Law School appointed by the  
8           dean of the law school after consultation with the dean of the Tulane University A.B.  
9           Freeman School of Business.

10           (g) One member from the Southern University Law Center appointed by the  
11           chancellor of the law school after consultation with the dean of the Southern  
12           University College of Business.

13           (h) One member from the Loyola University College of Law appointed by  
14           the dean of the law school after consultation with the dean of the Loyola University  
15           New Orleans Joseph A. Butt, S.J. College of Business.

16           (2)(a) Except for the secretary of the Department of Revenue and the  
17           governor's designee, all members of the board shall serve three-year terms, except  
18           for initial terms which shall be determined by lot at the first meeting of the board as  
19           follows:

20                   (i) Two members shall serve until July 1, 2018.

21                   (ii) Two members shall serve until July 1, 2019.

22                   (iii) Two members shall serve until July 1, 2020.

23           (b) The secretary of the Department of Revenue and the governor's designee  
24           shall serve during the duration of their appointment to those positions by the  
25           governor.

26           (3) Vacancies in the membership on the board created by death, resignation,  
27           or other than by the expiration of the terms of office of the memberships as defined  
28           in Subparagraph (2)(a) of this Subsection shall be filled using the procedure for  
29           initial appointments.

1           (4) Each board member shall serve without compensation from the Institute;  
2           however, members may receive per diem or other reimbursement for travel expenses  
3           in accordance with the guidelines of the entity they represent.

4           (5) A board certified tax law specialist shall be appointed by the Board of  
5           Tax Appeals from among its members to serve as an ex-officio non-voting member  
6           of the Institute's board during the duration of his term in office.

7           C. The Louisiana Tax Institute is formed to promote and encourage the  
8           clarification and simplification of the tax laws of Louisiana and its political  
9           subdivisions. To accomplish these goals, the Institute shall:

10           (1) Consider needed improvements in both substantive and procedural tax  
11           law and make recommendations in accordance with its findings to the legislature.

12           (2) Examine and study existing laws of Louisiana to discover defects and  
13           inequities in the tax laws and make recommendations to address such issues.

14           (3) Cooperate with the Multistate Tax Commission, the Federation of Tax  
15           Administrators, the Louisiana Bar Association, the Society of Louisiana Certified  
16           Public Accountants, and other organizations to receive, consider, and propose  
17           changes to the tax laws as recommended by these bodies.

18           (4) Receive and consider suggestions based on decisions of the Louisiana  
19           Board of Tax Appeals, the Louisiana Supreme Court and other Louisiana courts, and  
20           the public generally, as to needed changes to existing tax law.

21           (5) Recommend changes in the tax law as needed to modify, conform, and  
22           eliminate inequities and to bring the tax law of Louisiana into harmony with other  
23           jurisdictions.

24           (6) Render reports, as needed, to the legislature, and if it deems advisable,  
25           to accompany its reports with proposed bills to carry out any of its recommendations.

26           (7) Recommend the repeal of obsolete provisions in the tax laws.

27           (8) Organize and conduct meetings and seminars for the discussion of  
28           current problems in Louisiana tax laws.

29           (9) Review proposed and pending legislation and make recommendations  
30           thereon.

1                   (10) Consider suggestions from, and work collaboratively with, the executive  
 2                   directors of the Louisiana Assessors Association, the Louisiana Municipal  
 3                   Association, the Police Jury Association of Louisiana, the Louisiana Sheriffs  
 4                   Association, the Louisiana School Board Association, the Louisiana District  
 5                   Attorneys Association, and the Louisiana Association of Tax Administrators when  
 6                   addressing policy issues concerning parish and local government tax issues.

7                   (11) Consider suggestions from, and work collaboratively with, the Public  
 8                   Affairs Research Council, the Council for A Better Louisiana, the Louisiana  
 9                   Association of Business and Industry, Blueprint Louisiana, the Committee of 100  
 10                   Louisiana, and the Louisiana Budget Project.

11                   D. Any recommendation or report of the Institute shall require the approval  
 12                   of three-quarters of the members of the board.

13                   E. The Institute, in submitting reports to the legislature, shall act solely in an  
 14                   advisory capacity. Its reports, studies, and recommended publications shall be  
 15                   printed and shall be distributed through the secretary of state in the same manner as  
 16                   acts of the legislature.

17                   Section 2. This Act shall become effective upon signature by the governor or, if not  
 18                   signed by the governor, upon expiration of the time for bills to become law without signature  
 19                   by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 20                   vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 21                   effective on the day following such approval.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_