

HCR 11 Task Force – May 20, 2016

DRAFT RESOLUTION: 90 Day Refund Interest

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Louisiana allows for the payment of interest on certain individual income tax overpayments and certain corporation income and franchise tax overpayments from the later of the due date of the return or 90 days after the filing date of the return on which the overpayment is claimed while other overpayments are from the later of the date the return was due, the date the first return for that tax period was filed or the date the tax was paid;

This inconsistent and disparate treatment creates confusion and is administratively burdensome;

Louisiana could be better served with the adoption of a single statute which allows for the uniform treatment of refund interest on all state tax overpayments;

Accordingly, the Task Force recommends the state amend the statutes governing the payment of interest on refunds in favor of a more uniform and coherent system which provides for the payment of interest on all state tax overpayments from 90 days after the later of the due date of the return, the filing date of the return on which the overpayment is claimed or the date the tax was paid.