

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 all individual income tax overpayments from 90 days after the filing date of the final return on which the overpayment is claimed;

Louisiana allows the payment of interest on all corporation income/franchise and sales tax overpayments 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 both state income/franchise and sales 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 income, franchise and sales tax overpayments from 90 days after the filing date of the final return on which the overpayment is claimed.