

Income/Franchise:

Louisiana DOR Adopts Changes to Rule on Elective Pass-through Entity-Level Income Tax

Amended Louisiana Administrative Code (LAC) section 61:I.1001, La. Dept. of Rev. (12/20/22). The Louisiana Department of Revenue (Department) adopted changes to its rule addressing state law that permits certain pass-through entities to elect to pay Louisiana income tax at the entity level, effective for tax years beginning on or after January 1, 2019 [see S.B. 223 / Act 442 (2019) for more details on this state law]. According to the Department, the changes seek to implement legislation enacted in 2021 [see S.B. 159 / Act 134 (2021) and H.B. 292 / Act 396 (2021) and previously issued Multistate Tax Alert for more details on this legislation] as it concerns the repeal of the deduction for federal taxes paid and the amendment of rates for taxpayers making a pass-through entity election. Please contact us with any questions.

URL: <https://www.doa.la.gov/media/nyhfutk/2212.pdf>

URL: <http://www.legis.la.gov/legis/BillInfo.aspx?s=19RS&b=SB223&sbi=y>

URL: <https://legis.la.gov/legis/ViewDocument.aspx?d=1235025>

URL: <https://legis.la.gov/legis/ViewDocument.aspx?d=1235794>

URL: <https://www2.deloitte.com/content/dam/Deloitte/us/Documents/Tax/us-multistate-tax-alert-louisiana-voters-ratify-constitutional-amendment-reducing-tax-rates-and-repealing-federal-income-tax-deduction.pdf>

— Michael Matthys (Houston)
Managing Director
Deloitte Tax LLP
mmatthys@deloitte.com

Gregory Bergmann (Chicago)
Partner
Deloitte Tax LLP
gbergmann@deloitte.com

Roburt Waldow (Minneapolis)
Principal
Deloitte Tax LLP
rwaldow@deloitte.com

Shirley Wei (Los Angeles)
Senior Manager
Deloitte Tax LLP
shiwei@deloitte.com

Olivia Schulte (Washington, DC)
Manager
Deloitte Tax LLP
oschulte@deloitte.com

This communication contains general information only, and none of Deloitte Touche Tohmatsu Limited (“DTTL”), its global network of member firms or their related entities (collectively, the “Deloitte organization”) is, by means of this communication, rendering professional advice or services. Before making any decision or taking any action that may affect your finances or your business, you should consult a qualified professional adviser.

No representations, warranties or undertakings (express or implied) are given as to the accuracy or completeness of the information in this communication, and none of DTTL, its member firms, related entities, employees or agents shall be liable or responsible for any loss or damage whatsoever arising directly or indirectly in connection with any person relying on this communication. DTTL and each of its member firms, and their related entities, are legally separate and independent entities.

About Deloitte

Deloitte refers to one or more of Deloitte Touche Tohmatsu Limited (“DTTL”), its global network of member firms, and their related entities (collectively, the “Deloitte organization”). DTTL (also referred to as “Deloitte Global”) and each of its member firms and related entities are legally separate and independent entities, which cannot obligate or bind each other in respect of third parties. DTTL and each DTTL member firm and related entity is liable only for its own acts and omissions, and not those of each other. DTTL does not provide services to clients. Please see www.deloitte.com/about to learn more.

Deloitte provides industry-leading audit and assurance, tax and legal, consulting, financial advisory, and risk advisory services to nearly 90% of the Fortune Global 500® and thousands of private companies. Our professionals deliver measurable and lasting results that help reinforce public trust in capital markets, enable clients to transform and thrive, and lead the way toward a stronger economy, a more equitable society and a sustainable world. Building on its 175-plus year history, Deloitte spans more than 150 countries and territories. Learn how Deloitte’s approximately 415,000 people worldwide make an impact that matters at www.deloitte.com.