

NOTICE OF INTENT

Department of Revenue Policy Services Division

Partnership Returns-Electronic Filing Requirements;
Filing Extensions for Partnerships filing Partnership/Partnership Composite Returns
(LAC: 61:III.1507 and 2505)

Under the authority of R.S. 47:201, R.S. 47:1511, R.S. 47:1514, and R.S. 47:1520 and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Revenue, Policy Services Division, proposes to amend LAC 61:III.1507 and 2505.

The primary purpose of these proposed amendments is to require electronic submission for both the filing and requests for extension of filing the partnership/partnership composite tax return by any partnership required to so file.

Title 61

REVENUE AND TAXATION

Part III. Administrative and Miscellaneous Provisions

Chapter 15. Mandatory Electronic Filing of Tax Returns and Payment

§1507. Partnership Returns-Electronic Filing Requirements

A. Every partnership that files a Louisiana Partnership Tax Return, except for those partnerships filing composite partnership returns, shall be required to file the return electronically with the Department of Revenue using the electronic format prescribed by the department. For taxable periods beginning on or after January 1, 2021, partnerships filing composite partnership returns must also file a Louisiana Partnership Return electronically. The format shall be as follows:

A.1--B.2...

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:201, R.S. 47:1511, and R.S. 47:1520.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 44:1639 (September 2018), amended by the Department of Revenue, Policy Services Division, LR 48:.

Chapter 25. Returns

§2505. Filing Extensions for Partnerships filing Partnership/Partnership Composite Returns

A. Revised Statute Title 47, Section 1514 provides that the secretary may grant a reasonable extension to file any tax return due under this subtitle, not to exceed six months, from the date the return is due.

1. To obtain a filing extension for filing a partnership/partnership composite return, partnerships must make the request on or before the tax return's due date.

2. A partnership must request a state filing extension by submitting an electronic application.

A.3-B.2...

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511 and R.S. 47:1514.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 40:801 (April 2014), amended by the Department of Revenue, Policy Services Division, LR 48:.

Family Impact Statement

The proposed amendment of LAC 61:III.1507, regarding partnership electronic filing requirements, and LAC 61:III.2505, regarding filing extensions for partnerships filing partnership/partnership composite returns, should not have any known or foreseeable impact on any family as defined by R.S. 49:972(D) or on family formation, stability and autonomy. Specifically, the implementation of this proposed rule will have no known or foreseeable effect on:

1. The stability of the family.
2. The authority and rights of parents regarding the education and supervision of their children.
3. The functioning of the family.
4. Family earnings and family budget.
5. The behavior and personal responsibility of children.
6. The ability of the family or a local government to perform this function.

Poverty Statement

This proposed regulation will have no impact on poverty as described in R.S. 49:973.

Small Business Statement

It is anticipated that this proposed amendment should not have a significant adverse impact on small businesses as defined in the Regulatory Flexibility Act. The agency, consistent with health, safety, environmental and economic factors has considered and, where possible, utilized regulatory methods in drafting this proposed amendment to accomplish the objectives of applicable statutes while minimizing any anticipated adverse impact on small businesses.

Provider Impact Statement

The proposed amendment will have no known or foreseeable effect on:

1. The staffing levels requirements or qualifications required to provide the same level of service.
2. The total direct and indirect effect on the cost to the provider to provide the same level of service.
3. The overall effect on the ability of the provider to provide the same level of service.

Public Comments

Any interested person may submit written data, views, arguments or comments regarding these proposed amendments to Brad Blanchard, Attorney, Policy Services Division, Office of Legal Affairs by mail to P.O. Box 44098, Baton Rouge, LA 70804-4098. All comments must be received no later than 4:00 p.m., Thursday, February 24, 2022.

Public Hearing

A public hearing will be held on Friday, February 25, 2022, at 10:00 a.m. in the River Room, on the seventh floor of the LaSalle Building, 617 North Third Street, Baton Rouge, LA 70802.

Kimberly J. Lewis
Secretary, Department of Revenue

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Implementation of this proposed rule will not result in additional costs or cost savings. The Department of Revenue, Policy Services Division, proposes to amend LAC 61:III.1507 and 2505 relative to partnership returns. These proposed amendments require partnerships that are filing composite partnership returns to file returns and filing extensions electronically. Beginning with the partnership returns filed in 2022, the composite partnership return will be filed as an attachment to the Louisiana Partnership Return. Computer system acceptance of the required electronic returns and filing extensions is already in place.

Local governmental units are not affected by this proposal.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule is not anticipated to have any effect on revenue collection of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NON-GOVERNMENTAL GROUPS (Summary)

Although LDR cannot determine the additional costs incurred by partnerships filing composite partnership tax returns to comply with this change, any costs are expected to be minimal, as online access and activity has largely become a business standard. Composite partnership return filers may incur costs to the extent that additional fees are charged by tax preparers or tax preparation software companies. Tax preparers may incur costs to the extent additional fees are charged by tax preparation software companies.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule is not anticipated to have any effect on competition or employment.

