



Volume 17 Number 1

March 2010

State Tax Return

LOUISIANA'S NEW RULES NOW REQUIRE ADVANCE REQUEST FOR INCOME/FRANCHISE TAX RETURN EXTENSIONS

Natalie Madden
Dallas
1.214.969.4866
ncmadden@jonesday.com

In the past, the Louisiana Department of Revenue (the "Department") accepted federal income tax extensions as extensions of time to file Louisiana corporate income and franchise tax returns. To obtain a Louisiana extension, the taxpayer had to submit to the Department the Louisiana return with a copy of the federal extension.¹ Taxpayers can now request a filing extension with the Internal Revenue Service online, so few taxpayers have an actual copy of the federal extension to submit with their Louisiana returns. Thus, Louisiana Revenue Information Bulletin No. 09-055 set new rules to deal with this problem and to capitalize on electronic filing.

Bulletin 09-055 lists three ways a taxpayer can now obtain a Louisiana state filing extension for corporate income and franchise taxes:

- The taxpayer can submit a specific state filing extension by filling out an electronic application online via the Department web site.
- The taxpayer can mail an Application for Extension to File Corporation Income and Franchise Tax, Form CIFT-620Ext, available on the Department's web site.
- The taxpayer can mail a paper copy of the IRS Automatic Extension of Time to File Certain Business Income Tax, Information, and Other Returns, Form 7004.²

Now, to obtain a state filing extension under any of the options, taxpayers must make the request on or before the tax return's due date.³ Louisiana corporate income and franchise tax returns are due April 15 for calendar-year taxpayers and on the 15th day of the fourth month following the close of the taxable year for fiscal-year taxpayers.⁴ Copies of the state and federal extensions must be mailed to Post Office Box 751, Baton Rouge, LA 70821-0751.⁵

As before, an extension granted by the secretary of revenue is only for filing the tax return, not for paying the taxes due.⁶ Thus, to avoid being assessed penalties and interest, taxpayers should estimate the taxes due and pay that amount on or before the original due date for filing the return. Bulletin 09-055 applies to all corporate income and franchise tax returns due on or after January 1, 2010.⁷



This article is reprinted from the *State Tax Return*, a Jones Day monthly newsletter reporting on recent developments in state and local tax. Requests for a subscription to the *State Tax Return* or permission to reproduce this publication, in whole or in part, or comments and suggestions should be sent to Christa Smith (214.969.5165) in Jones Day's Dallas Office, 2727 N. Harwood, Dallas, Texas 75201 or StateTaxReturn@jonesday.com.

©Jones Day 2010. All Rights Reserved. No portion of the article may be reproduced or used without express permission. Because of its generality, the information contained herein should not be construed as legal advice on any specific facts and circumstances. The contents are intended for general information purposes only.

¹ Louisiana Revenue Information Bulletin No. 09-055 (Dec. 15, 2009).

² *Id.*

³ *Id.*

⁴ La. Rev. Stat. Ann. § 47:103(A)(1).

⁵ Louisiana Revenue Information Bulletin No. 09-055 (Dec. 15, 2009).

⁶ *See id.* at § 47:105(A).

⁷ Louisiana Revenue Information Bulletin No. 09-055 (Dec. 15, 2009).