



Instructions for Partnership Return of Income Tax Year 2021

Compensation for Disaster Services

R.S. 47:53.5 provides an exclusion for income received by a nonresident business for performing disaster or emergency-related work within the state during a declared or emergency period beginning January 1, 2018. The exclusion applies only for income received in exchange for disaster or emergency-related work related to critical infrastructure that is performed during the declared disaster period, which begins within 10 days of the first day of the declaration or proclamation made by either the governor, the president, or appropriate local government official and ends 60 days after its conclusion, unless a longer period is subsequently authorized. Requests for written notice concerning emergency-related services are posted as Revenue Information Bulletins on LDR's website.

Expenses Not Deducted On The Federal Return Due To Internal Revenue Code Section 280E

Whenever an otherwise allowable expense for purposes of computing federal net income is disallowed under the provisions of IRC Section 280E, an additional deduction in the amount of the disallowed expense is allowed under the provisions of R.S. 47:287.73(C) (1). The deduction is only allowed for a licensee engaged in the production or dispensing of therapeutic marijuana recommended for therapeutic use by patents clinically diagnosed as suffering from a debilitating medical condition as defined in R.S. 40:1046.

COVID-19 Relief Benefits Exemption

Act 54 of the 2021 Regular Legislative Session provides that any gratuitous grant, loan, rebate, tax credit, advance refund, or other qualified disaster relief benefit provided directly or indirectly by the state or federal government as a COVID-19 relief benefit is excluded if such income was included in the taxpayer's federal net income. Benefits may include payments from the Louisiana Main Street Recovery Fund. See Revenue Information Bulletin 21-019. Attach a schedule detailing the source and amount of the excluded benefits and a copy of the Federal Form 1065.

Line 3g – Total Subtractions – Add Lines 3a through 3f.

LINE 4 – Louisiana Net Income From All Sources – Add Lines 1 and 2a and subtract Line 3g. This amount should agree with Schedule J, Line 22.

SCHEDULE I – Computation of Apportionment Percentage for Partnerships with Corporate Partners

Except for certain oil and gas businesses, a single revenue ratio is used to apportion income. Specific revenue ratios are prescribed for air, pipeline, other transportation businesses, and certain service enterprises. A general revenue ratio is prescribed for manufacturing, merchandising and any other business for which a formula is not specifically prescribed. A specific apportionment formula, consisting of four ratios is prescribed for certain oil and gas businesses. The statute contemplates that only one specific formula is used in determining the apportionment percent, that being the formula prescribed for the primary business. As a general rule, where more than one type of business is transacted, the primary business is that which is the primary source of net apportionable income. The class of income designated as "apportionable income" is all items of gross income which are not properly includible in allocable income. Therefore allocable income is not used in determining which specific formula to use for the apportionment percent, or in the calculations of the apportionment percent. For information regarding what types of income are considered allocable income, see the instructions for Line 23 of Schedule J.

The income tax revenue and wage ratios are calculated on Schedule I. The income tax property ratio is calculated on Schedule F. Mark the box on Line 2 if the wage ratio is not considered as described below. Mark the box on Line 3 if the property ratio is not considered as described below. Mark the box on Line 4 if the double-weighted sales ratio is not considered as described below.

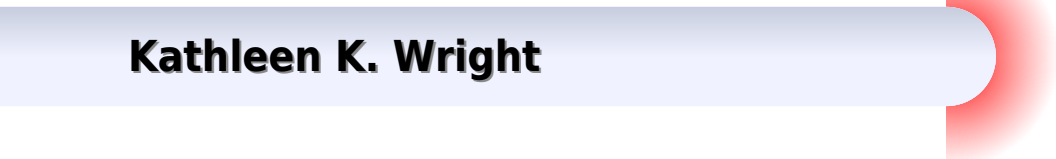
Television and Radio Businesses – See R.S. 47:287.95(K).

Oil And Gas Businesses – The Louisiana apportionment percent used when net apportionable income is derived primarily from the exploration, production, refining, or marketing of oil and gas is the arithmetical average of four ratios, as follows:

- a. The ratio of the value of the immovable and corporeal movable property owned and located in Louisiana to the value of the immovable and corporeal movable property owned and used in the production of the net apportionable income.
- b. The ratio of the amount paid for salaries, wages, and other compensation for personal services rendered in this state to the total amount paid for salaries, wages, and other compensation for personal services in connection with the production of net apportionable income.
- c. The ratio of net sales made in the regular course of business and other gross apportionable income attributable to this state to the total net sales made in the regular course of business and other gross apportionable. This ratio is counted twice (doubleweighted).

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Kathleen K. Wright



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