RS 47:1578 Cancellation of lien, privilege, and mortgage; compromises

(4)(a) Notwithstanding any other provision of this Chapter, the secretary, with the approval of two assistant secretaries, may compromise any judgments for taxes of five hundred thousand dollars or less exclusive of interest and penalty, including assessments for such amounts which are equivalent to judgments upon a determination that any of the following apply:

            (i) There is serious doubt as to the collectibility of the outstanding judgment.

            (ii) There is serious doubt as to the taxpayer's liability for the outstanding judgment.

            (iii) The administration and collection costs involved would exceed the amount of the outstanding liability.

            (b) This authority is wholly discretionary, and no taxpayer shall have a right to a compromise under the provisions of this Paragraph.

            (c) Each application for compromise of a judgment shall be accompanied by a nonrefundable application fee of one hundred eighty-six dollars, made payable to the secretary of the Department of Revenue. Money received by the secretary from this fee shall be deposited into the state treasury and, after compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund, shall be designated as self-generated revenues of the Department of Revenue.

            (d) The submission of any offer in compromise shall be accompanied by a nonrefundable initial payment of twenty percent of the amount of the offer. This payment shall be applied to the tax liability.

            (e) A complete record of all such compromises shall be kept by the secretary, shall be open to public inspection, and, notwithstanding the provisions of R.S. 47:1508 and 1508.1, each such compromise shall be published in the department's annual report.