

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **HB 135** HLS 11RS 482

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> May 11, 2011 2:40 PM	<b>Author:</b> NOWLIN
<b>Dept./Agy.:</b> Local Government	<b>Analyst:</b> Greg Albrecht
<b>Subject:</b> Prohibits New Property Transfer Taxes	

TAX/PROPERTY TRANSFER EG SEE FISC NOTE LF RV See Note Page 1 of 1  
(Constitutional Amendment) Prohibits the levy of new taxes or fees upon the sale or transfer of immovable property for Nov. 30, 2011

Prohibits the levy of any new tax or fee upon the sale or transfer of immovable property by the State or or by any political subdivision after November 30, 2011. Fees for the cost of recordation, filing, or maintenance of documents or records, development impact fees, annual parcel fees, and ad valorem taxes are not prohibited by this bill.

To be submitted at the statewide election on November 19, 2011. If adopted, effective on November 30, 2011.

<b>EXPENDITURES</b>	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

  

<b>REVENUES</b>	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**EXPENDITURE EXPLANATION**

There is no anticipated direct material effect on governmental expenditures as a result of this measure.

**REVENUE EXPLANATION**

According to the Louisiana Municipal Association, only New Orleans is currently levying a tax or fee on property transfers. The Association is not aware of any other local government in the state levying such a tax or fee. According to the City of New Orleans it currently levies a \$325 documentary transaction tax on property transfers. This tax generated some \$3.6 million in 2010 and is expected to generate \$4.4 million in 2011.

This bill prohibits new taxes after November 30, 2011 and, presumably, will not affect the existing levy in new Orleans. The bill is specifically not intended to prohibit typical administrative fees associated with property transactions, such as recordation, filing, or maintenance of documents or records, development impact fees, annual parcel fees, and ad valorem taxes. Presumably, increases in these types of fees or levies would also be allowed under this bill.

<u>Senate</u>	<u>Dual Referral Rules</u>	<u>House</u>	<i>H. Gordon Monk</i>
<input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}		<input type="checkbox"/> 6.8(F)1 >= \$500,000 Annual Fiscal Cost {S}	<b>H. Gordon Monk</b> <b>Legislative Fiscal Officer</b>
		<input type="checkbox"/> 6.8(F)2 >= \$100,000 Annual SGF Cost {H&S}	
<input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}		<input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}	