

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 10** HLS 183ES 17
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: June 19, 2018 6:15 PM	Author: DAVIS
Dept./Agy.: Revenue	Analyst: Benjamin Vincent
Subject: Sales Tax: Retain 0.4% Levy, Standardize/Broaden Base	

TAX/SALES-USE, STATE OR +\$421,000,000 GF RV See Note Page 1 of 1
 Provides for the rate and base for state sales and use taxes (Item #1)

Present law subjects certain transactions to sales and use tax via levies in R.S. 47:302 (2%), 47:321 (1%), 47:331 (0.97%), and 47:321.1 (1%). Each levy is subject to a particular list of exemptions and exclusions, some of which are temporarily suspended through FY18. R.S. 51:1286 levies an additional three hundredths of one percent sales and use tax on all transactions covered by R.S. 47:331, and allocates the proceeds to the LA Tourism Promotion District (TPD). The levy in R.S. 47:321.1 (1%) will expire on June 30, 2018. Certain business utilities are taxed at 1% until March 31, 2019, at which time they will become fully exempt.

Proposed law removes and/or sunsets certain exemptions and exclusions to the levies such that the taxable base for all levies will be identical for FY19-FY23. Proposed law retains the temporary levy of 1% in R.S. 47:321.1 at a rate of four-tenths of a percent (0.4%) through June 30, 2023. Proposed law additionally provides that certain business utilities will be exempt from certain levies through FY23. Effective July 1, 2018.

EXPENDITURES	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>	<u>2022-23</u>	<u>5 -YEAR TOTAL</u>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	<u>2018-19</u>	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>	<u>2022-23</u>	<u>5 -YEAR TOTAL</u>
State Gen. Fd.	\$421,000,000	\$457,000,000	\$457,000,000	\$457,000,000	\$457,000,000	\$2,249,000,000
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000	\$15,000,000
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$424,000,000	\$460,000,000	\$460,000,000	\$460,000,000	\$460,000,000	\$2,264,000,000

EXPENDITURE EXPLANATION

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

REVENUE EXPLANATION

Proposed law generally eliminates exemptions and exclusions as defined in R.S. Title 47 and applies a uniform list of exemptions and exclusions to each levy for FY19-FY23. It retains the temporary levy in R.S. 47:321.1 and reduces the rate to 0.4%, starting July 1, 2018. The total tax rate applying to transactions in the uniform base will be 4.4%; 4.37% to the state General Fund, and 0.03% to the Louisiana Tourism Promotion District (TPD). After FY23, the total rate will be 4.0%.

Purchases of utilities made by businesses will be exempt from all levies other than R.S. 47:302 (2%), and subject to a total rate of 2%.

Based on reported sales and tax receipts by sales tax remitters since April 2016, proposed law will increase total revenue by an estimated \$424 million in FY19 (\$421 million General Fund + \$3 million TPD), relative to current law.

Current law provides that certain business utilities will be taxed at 1% for 9 months of FY19. Proposed law replaces this provision, which will diminish the revenue gain by approximately \$36 million in FY19 only. In FY20 and all years following, business utilities will generate an additional \$36 million, resulting in \$96 million total from business utilities, and a total revenue impact of \$460 million (\$457 million General Fund + \$3 million TPD).

Increased collections under the 0.03% levy applied by R.S. 51:1286 (LA Tourism Promotion District) account for the revenue increase to the Ded./Other revenues in the table above.

The most significant revenue-generating items in FY19 are listed below (totals may not match table above due to rounding):
 Applying 0.4% levy to the bill's tax base (excluding motor vehicles and business utilities): \$310 mil
 Business Utilities- 2%: \$60 mil
 Applying 0.4% levy to motor vehicle purchases: \$40 mil
 Removing exemptions from 4% of levies (approx. 100 items, all less than \$5 mil each): \$14 mil

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

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