LEGISLATIVE FISCAL OFFICE
Fiscal Note

Louisiana Legislative Fiscal Office Fiscal Notes

Fiscal Note On: **HB 571** HLS 13RS 903
Bill Text Version: **REENGROSSED**
Opp. Chamb. Action: **w/ SEN COMM AMD**
Proposed Amd.:
Sub. Bill For.:

Date: May 29, 2013 6:41 PM
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Dept./Agy.: Economic Development/Revenue
Subject: Adjusts the Enterprise Zone and Quality Jobs programs
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TAX/TAX REBATES RE1 INCREASE GF RV See Note

Provides relative to rebates and rebate programs

Current law provides benefits of a non-refundable income or franchise tax credit of $2,500 per permanent full or part time job with a 10 year carryforward and either a sales tax rebate on construction materials or a payment of 1.5% of project expenditures (refundable tax credit with no cap treated as a rebate payment). Qualifying projects include retail and may be located in designated enterprise zones (EZ) but must have 35% of employees reside in an EZ (or the same parish as the project for rural) or be receiving public assistance or be unemployable. Qualifying projects' net new jobs must be the lesser of 5 jobs within 2 years or 10% of existing jobs (minimum of 1) within 1 year. Current law also allows for rebates of 25% of headquarter relocation costs, a 15% payroll rebate (along with a construction sales tax or 1.5% investment rebate) for certain projects, and a refundable income tax credit for any tuition donations for qualified students.
Proposed law removes part time jobs from eligibility,increases employment requirements from 35% to 50% of employees within criteria as listed in current law and limits those retailers with 100+ employees to groceries and pharmacies located in an EZ. Retailers smaller than 100+ employees are still eligible. The changes are applicable prospectively but apply to renewals as well as new contracts, and to advance notifications filed on or after the effective date of the bill. Contingent upon the passage of 11 other instruments.

EXPENDITURES	2013-14	2014-15	2015-16	2016-17	2017-18	5 -YEAR TOTAL
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	2013-14	2014-15	2015-16	2016-17	2017-18	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
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						

EXPENDITURE EXPLANATION

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

REVENUE EXPLANATION

The net effect of the bill is an expected increase to SGF collections (via fewer credits and/or rebates). According to LED and LDR, this program has provided about $380 M in total benefits to firms over the last 5 years. In FY 12, about $45 M in benefits were approved with about $67 M claimed (prior year carry-forwards contribute to the difference). The bill could materially reduce the costs generated by the program in the future, though precise estimates are not possible. Important components, such as economic development zones and definitions of retail, grocery and pharmacy leave considerable discretion to the rule-making process. Prospective application (even with applicability to renewals and advance notifications) results in program cost savings being smaller in the initial periods and accumulating over time as participation under this bill's program parameters occurs.

Removal of part-time jobs from eligibility (+$625,000): In LED's judgment, about 250 jobs per fiscal year were considered part time under current project qualifications, though this number cannot be readily corroborated. Based on that count and should each job receive the benefit of $2,500 per year, SGF would increase by about $625,000 (via fewer job credits awarded).

Employment Qualifiers - INCREASE: The bill allows those projects located in EZs, to retain virtually the same eligibility requirements of 35% criteria compliance. If a project is located outside the zones, employee criteria must be met by 50% of employees. If any impact is achieved by this component, it can only be to decrease the number of qualifying projects located outside EZs, the impact of which would be based on project magnitudes and the EZ subsidy package of each project.

Retail - (+$3 M to +$6 M): The bill disqualifies retail businesses assigned NAICS 44 or 45 with 100 or more employees nationwide, except groceries and pharmacies located in an EZ, presumably as defined by LED rule. From project specific data, it appears that most retail as identified by NAICS 44 and 45 in the LED database is related to larger retailers. Within the LED database, the retail percentages are small (less than 10% of total estimated credits) and about half of those are located in Enterprise Zones. However, some are classified as supercenters, wholesale stores, or convenience stores that contain groceries and/or pharmacies among other inventory and services. It is not clear what the final definition of retail, groceries or pharmacies will be. Assuming 5% of all EZ claims will no longer be granted due to the ineligibility of these companies, net state general fund receipts would increase by $3.4 M (or $67 M * 5%), based on FY 12 data. If all retail was removed as defined by NAICS 44-45 in the LED data, then an estimated 10% of claims or $6.7 M (based on FY 12) would eventually also not be paid annually. This estimate is dependent upon definitions and activities that could prompt fluctuations in the impact, possibly beyond this estimated range.

Senate	Dual Referral Rules	House
☐ 13.5.1 >= $100,000 Annual Fiscal Cost {S&H}		☐ 6.8(F) >= $500,000 Annual Fiscal Cost {S}
☒ 13.5.2 >= $500,000 Annual Tax or Fee Change {S&H}		☐ 6.8(G) >= $500,000 Tax or Fee Increase or a Net Fee Decrease {S}

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