



OFFICE OF LEGISLATIVE AUDITOR
Fiscal Note

Fiscal Note On: SB 515 SLS 14RS 359
Bill Text Version: ORIGINAL
Opp. Chamb. Action:
Proposed Amd.:
Sub. Bill For.:

Date: March 28, 2014 10:22 AM
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Dept./Agy.: Baton Rouge City-Parish Governmnet
Analyst: Misty Perry
Subject: Rebate on Sales Taxes for Bayou Country Superfest

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Prohibits rebates of local sales tax for activities in certain state-owned "public facilities" if any of the contracts entered into for such activity prevent the contracted person from participating in any activity conducted in any other public facility.

Purpose of Bill: This measure prohibits rebates of sales and use taxes paid on parking and admission to an "event, activity, or enterprise" that is undertaken in a "public facility" as defined in R.S. 39:469, if any of the contracts entered into for such "event, activity, or enterprise" operate to prevent the contracted person or entity from participating in any activity conducted in any other type of public facility.

Table with 7 columns: EXPENDITURES, 2014-15, 2015-16, 2016-17, 2017-18, 2018-19, 5-YEAR TOTAL. Rows include State Gen. Fd., Agy. Self-Gen., Ded./Other, Federal Funds, Local Funds, and Annual Total.

Table with 7 columns: REVENUES, 2014-15, 2015-16, 2016-17, 2017-18, 2018-19, 5-YEAR TOTAL. Rows include State Gen. Fd., Agy. Self-Gen., Ded./Other, Federal Funds, Local Funds, and Annual Total.

EXPENDITURE EXPLANATION

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

REVENUE EXPLANATION

There is an indeterminate impact on local government revenues as a result of this measure.

Based on the definition in R.S. 39:469, it appears that this bill relates to the Bayou Country Superfest, as the specific event whose promoters may not receive a rebate if contracts they enter into prohibit the participation of an activity at any other public facility.

According to an official with the City-Parish of East Baton Rouge, there could potentially be an impact to local government revenues. The city-parish does not have access to contracts between the promoter and performers; therefore, the city-parish is unable to determine if there will be an impact on local government revenues.

In addition, this measure applies retroactively; therefore, the promoter would have to refund the city-parish the amount received in 2013 if contracts contained exclusivity agreements as outlined in this measure.

According to an official with the Lafayette Cajundome, in 2013, three performers were "in talks" to perform in 2013, but were unable to perform because they signed a contract to perform at Bayou Country Superfest that contained an exclusivity agreement that prohibited them from performing at the Cajundome.

- Senate Dual Referral Rules House
13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}
13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}
6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
6.8(F)(2) >= \$500,000 State Rev. Reduc. {H & S}
6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Joy Irwin
Director of Advisory Services