

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 446** HLS 17RS 1104
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

| | |
|---|----------------------------------|
| Date: April 30, 2017 2:18 PM | Author: MARINO |
| Dept./Agy.: REVENUE | Analyst: Benjamin Vincent |
| Subject: Confidentiality of Tobacco Records, Eligible Recipients | |

TOBACCO/TOBACCO PRODUCTS OR NO IMPACT RV See Note Page 1 of 1
 Requires confidentiality and prohibits disclosure of information received by the state regarding the Non-participating Manufacturer (NPM) Adjustment Settlement Agreement.

Current law provides that the state may share confidential tax records with professional services firms retained for the purpose of calculating tobacco tax revenue owed as a result of the Master Settlement Agreement executed on November 23, 1998, and any subsequent agreements pertaining to the Master Settlement Agreement.

Proposed law specifies an expanded list of entities eligible to receive confidential information including a court, arbitrator, data clearinghouse, legal counsel for parties, or expert witnesses in any related proceedings. It names the NPM Adjustment Settlement Agreement as a subsequent agreement pertaining to the Master Agreement Settlement, and provides that information received pursuant to this agreement is confidential and can only be disclosed in accordance with the terms of the NPM Adjustment Settlement Agreement or pursuant to an order from a court or competent jurisdiction. Effective August 1, 2017.

| EXPENDITURES | <u>2017-18</u> | <u>2018-19</u> | <u>2019-20</u> | <u>2020-21</u> | <u>2021-22</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 | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | \$0 |
| Annual Total | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |

| REVENUES | <u>2017-18</u> | <u>2018-19</u> | <u>2019-20</u> | <u>2020-21</u> | <u>2021-22</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 | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | \$0 |
| Annual Total | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |

EXPENDITURE EXPLANATION

LA Dept. of Revenue (LDR) reports no expected additional expenditures as a result of proposed law.

REVENUE EXPLANATION

Proposed law specifies some additional eligible recipients of certain confidential taxpayer information under certain circumstances. LDR reports that proposed law will not have an impact on revenues collected.

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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