

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



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

<b>Date:</b> June 7, 2017 7:59 PM	<b>Author:</b> MARINO
<b>Dept./Agy.:</b> REVENUE	<b>Analyst:</b> Benjamin Vincent
<b>Subject:</b> Confidentiality of Tobacco Records, Eligible Recipients	

TOBACCO/TOBACCO PRODUCTS EN NO IMPACT GF 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, legal counsel, expert witnesses, or certain data clearinghouses. 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. It also specifies that the Secretary of Revenue may not disclose the address of a taxpayer who has filed an income or corporate franchise return. Effective July 1, 2017.

<b>EXPENDITURES</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<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>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>5 -YEAR TOTAL</b>
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<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**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}

*Gregory V. Albrecht*  
**Gregory V. Albrecht**  
**Chief Economist**