

LEGISLATIVE FISCAL OFFICE
Fiscal Note



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

Date: June 22, 2018 5:26 PM	Author: DAVIS
Dept./Agy.: Revenue	Analyst: Benjamin Vincent
Subject: Sales Tax: Retain 0.45% Levy, Standardize/Broaden Base	

TAX/SALES-USE, STATE RE +\$463,000,000 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-FY25. Proposed law retains the temporary levy of 1% in R.S. 47:321.1 at a rate of forty-five hundredths of a percent (0.45%) through June 30, 2025. Proposed law additionally provides that certain business utilities will be exempt from certain levies through FY25. Effective July 1, 2018.

EXPENDITURES	2018-19	2019-20	2020-21	2021-22	2022-23	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	<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	2018-19	2019-20	2020-21	2021-22	2022-23	5 -YEAR TOTAL
State Gen. Fd.	\$463,000,000	\$499,000,000	\$499,000,000	\$499,000,000	\$499,000,000	\$2,459,000,000
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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	\$0
Annual Total	\$466,000,000	\$502,000,000	\$502,000,000	\$502,000,000	\$502,000,000	\$2,474,000,000

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-FY25. It retains the temporary levy in R.S. 47:321.1 and reduces the rate to 0.45%, starting July 1, 2018. The total tax rate applying to transactions in the uniform base will be 4.45%; 4.42% to the state General Fund, and 0.03% to the Louisiana Tourism Promotion District (TPD). After FY25, 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 \$466 million in FY19 (\$463 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 \$502 million (\$499 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 0.45% levy to the bill's tax base (excluding motor vehicles and business utilities): \$348 mil
 Business Utilities- 2%: \$60 mil
 Applying 0.45% levy to motor vehicle purchases: \$44 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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