

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



Fiscal Note On: **HB 282** HLS 11RS 447

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> May 9, 2011 7:07 PM	<b>Author:</b> ELLINGTON
<b>Dept./Agy.:</b> Revenue	<b>Analyst:</b> Deborah Vivien
<b>Subject:</b> Alternative substance sales tax exclusion extension	

TAX/SALES & USE OR NO IMPACT GF RV See Note Page 1 of 1  
Extends termination of the state sales and use tax exclusion for certain alternative substances used as fuel by manufacturers

Current law excludes from state sales and use tax the sale of any alternative substance if the substance is used as fuel by a manufacturer with a NAICS codes in Sector 11 (agricultural, forestry, fishing and hunting) or the manufacturing sectors 31-33 as defined in 2002. Alternative substances are defined as any substance other than oil, natural gas, any product of oil or natural gas, coal, lignite, refinery gas, nuclear fuel or electricity, but shall include petroleum coke, landfill gas, reclaimed or waste oil, unblended biodiesel or tire-derived fuel. The exclusion expires on June 30, 2012.

Proposed law retains current law and extends the expiration of the exclusion by three years to June 30, 2015.

<b>EXPENDITURES</b>	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</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	\$0	\$0	\$0	\$0	\$0	<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>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</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	\$0	\$0	\$0	\$0	\$0	<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>

**EXPENDITURE EXPLANATION**

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

**REVENUE EXPLANATION**

The Department of Revenue indicates that there will be no anticipated fiscal impact due to the proposed legislation as these fuels are subject to other exclusions in current law. This bill extends the state sales tax exclusion related to alternative substances used as fuel by a manufacturer by three years to June 20, 2015. However, according to LDR, alternative fuels exempted under this legislation are also excluded through other provisions in the sales tax statutes. For instance, these fuels are also subject to the exclusion for the consumption of tangible personal property created or derived as a residue or byproduct (R.S. 47:301(10)(1)(h)) or the exclusion for the sale or purchase of fuel (R.S. 47:301(10)(x)(1)).

<u>Senate</u>	<u>Dual Referral Rules</u>	<u>House</u>	
<input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}	<input type="checkbox"/> 6.8(F)1 >= \$500,000 Annual Fiscal Cost {S}	<input type="checkbox"/> 6.8(F)2 >= \$100,000 Annual SGF Cost {H&S}	<b>Gregory V. Albrecht</b> <b>Chief Economist</b>
<input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}	<input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}		