

**NORTH CAROLINA GENERAL ASSEMBLY**

**LEGISLATIVE FISCAL NOTE**

**BILL NUMBER:** House Bill 231 (Third Edition)

**SHORT TITLE:** Education Revenue Act

**SPONSOR(S):**

<b>FISCAL IMPACT</b>					
	<b>Yes (X)</b>	<b>No ( )</b>	<b>No Estimate Available ( )</b>		
	(\$million)				
	<b><u>FY 2001-02</u></b>	<b><u>FY 2002-03</u></b>	<b><u>FY 2003-04</u></b>	<b><u>FY 2004-05</u></b>	<b><u>FY 2005-06</u></b>
<b>REVENUES</b>					
<u>General Fund</u>					
Increase Standard Deduction	(9.7)	(32.0)	(45.0)	(45.8)	(46.5)
Increase Child Credit		(19.8)	(54.8)	(55.0)	(55.3)
Repeal Reimbursements	333.4	333.4	333.4	333.4	333.4
Sales Tax/Hold Harmless	(157.7)	(35.0)	(29.1)	(24.4)	(20.1)
8.25% Income Tax Rate	125.5	102.9	61.6		
Tax HMOs/Blue Cross		33.8	30.6	33.2	35.9
Liquor Sales Tax	11.9	24.7	25.6	26.6	27.6
No Tax Break/Luxury Cars	1.7	2.4	2.6	2.7	2.9
Sales Tax Holiday	<u>0</u>	<u>(8.3)</u>	<u>(8.6)</u>	<u>(9.0)</u>	<u>(9.4)</u>
<b>Total General Fund</b>	<b>305.1</b>	<b>402.1</b>	<b>316.3</b>	<b>261.7</b>	<b>268.5</b>
<u>Local Government</u>					
Sales Tax Holiday	0	(5.2)	(5.4)	(5.6)	(5.8)
Local Half Cent Sales Tax*	198.4	398.7	419.8	441.2	462.8
Repeal Reimbursements	(333.4)	(333.4)	(333.4)	(333.4)	(333.4)
Sales Tax/Hold Harmless	<u>157.7</u>	<u>35.0</u>	<u>29.1</u>	<u>24.4</u>	<u>20.1</u>
<b>Total Local Govt.</b>	<b>22.7</b>	<b>95.1</b>	<b>110.1</b>	<b>126.6</b>	<b>143.7</b>
* Assumes all counties approve the tax					
<b>EXPENDITURES</b>					
<u>General Fund</u>					
Income tax withholding tables	.14				
Sales Tax changes	1.6	.4	.4	.4	.4
<b>POSITIONS</b>					
Dept. of Revenue	6	6	6	6	6

**PRINCIPAL DEPARTMENT(S) &**

**PROGRAM(S) AFFECTED:** Department of Revenue; Alcoholic Beverage Control Commission; Division of Motor Vehicles

**EFFECTIVE DATE:** Part 5 (8.25% tax rate) is effective for taxable years beginning on or after January 1, 2001, but expires for taxable years beginning on or after January 1, 2004. Part 8c (transfer luxury car tax to General Fund) and Part 4 (repeal reimbursements) are effective July 1, 2001. Part 8 (repeal tax cap on luxury cars) is effective October 1, 2001. Part 7 (sales tax on liquor) is effective on December 1, 2001. Parts 1a (\$5,500 standard deduction), 2a (\$75 child credit), and 6 (insurance premium tax) are effective for taxable years beginning on or after January 1, 2002. Part 9 (sales tax holiday) is effective January 1, 2002 and applies to sales made on or after that date. Part 3 (1/2 cent local sales tax/hold harmless) is effective on December 1, 2001. Parts 1b (\$6,000 standard deduction) and 2b (\$100 child credit) are effective for taxable years beginning on or after January 1, 2003.

**BILL SUMMARY:**

House Bill PCS does the following:

- Part 1) Increases the standard deduction for married filing jointly filers from \$5,000 to \$6,000,
- Part 2) Increases the tax credit for children from \$60 to \$100,
- Part 3) Authorizes a half cent local option sales tax and allows a 105% hold harmless guarantee on revenue previously received by local governments in state tax reimbursements,
- Part 4) Repeals local government reimbursements for intangibles tax, inventory tax, reduced property valuation, and sales tax exemption for food purchased with food stamps,
- Part 5) Adds a new 8.25% individual income tax bracket for three tax years,
- Part 6) Imposes a 1% gross premiums tax on HMOs and increases the gross premiums tax on medical service companies from .5% to 1%,
- Part 7) Imposes a 6% state sales tax on liquor,
- Part 8) Repeals the \$1,500 highway use tax cap on motor vehicles and exempts fire and rescue vehicles from the highway use tax, and
- Part 9) Creates a sales tax holiday on the first weekend in August each year for clothing, footwear, and school supplies valued at \$100 or less per item and computer software and hardware valued at \$3,500 or less per item.

**ASSUMPTIONS AND METHODOLOGY:**

**Eliminate the Marriage Tax Penalty for the Standard Deduction**

The term “marriage penalty” refers to the income tax situation where married individuals filing jointly pay more in tax than if the two individuals were unmarried filing as single persons. For example, the North Carolina standard deduction for single filers is \$3,000, but for married filing jointly the standard deduction is \$5,000. The personal exemption favors single filers, because the exemption is \$2,500 until you get to a maximum of \$60,000 Adjusted Gross Income (AGI) for single filers and \$100,000 AGI for married filing jointly where it drops to \$2,000. State tax brackets also favor single filers as shown below:

Single	0 to \$12,750	\$12,751 to \$60,000	\$60,000>
Married filing jointly	0 to \$21,250	\$21,251 o \$100,000	\$100,000>

Part 1 of this bill reduces the marriage penalty by increasing the standard deduction for married filing jointly taxpayers from \$5,000 to \$6,000. The standard deduction is increased to \$5,500 in tax year 2002 and then to \$6,000 in tax year 2003. The FY 2001-02 reduction in General Fund revenue will be \$9.7 million due to estimated payments and withholding in the first half of tax year 2002. This change will benefit 762,340 couples in tax year 2002.

FY 2001-02	\$9.7 mil.
FY 2002-03	\$32.0 mil.
FY 2003-04	\$45.0 mil.
FY 2004-05	\$45.8 mil.
FY 2005-06	\$46.5 mil.

The revenue estimate for the standard deductions was calculated using the North Carolina Individual Income Tax Model. This tax model was created by the Barents Group for the Department of Revenue and the General Assembly to use in estimating tax law changes. The model bases future year estimates on data from 1998 North Carolina individual income tax returns.

### **Increase Tax Credit for Children**

The current \$60 child credit was approved by the 1995 General Assembly. Part 2 of the bill increases the child credit from \$60 to \$75 per child in tax year 2002, and then increases the credit from \$75 to \$100 in tax year 2003. The first increase will reduce General Fund revenue \$19.8 million in FY 2002-03 for taxpayers filing returns in the spring of 2003. The second year increase will boost the revenue loss to \$54.8 million in FY 2003-04. This tax change will benefit 18,354 single tax filers, 496,286 married couples, and 411,648 heads of households in tax year 2002. This revenue estimate was calculated using the North Carolina Individual Income Tax Model.

### **Allow Half Cent Local Option Sales Tax**

Part 3 of the bill authorizes counties to levy an additional ½ cent local sales tax, potentially bringing the local sales tax rate to 2-½%. However, the additional ½ cent will not apply to food. This local option tax can be enacted through a special election or a vote of the county commission.

The General Assembly's Fiscal Research Division and the Office of State Budget, Planning and Management have agreed to the following sales tax revenue projections for FY 2001-02 and FY 2002-03:

(Millions)

<b>Fiscal Year</b>	<b>Revenue from 1 Cent</b>	<b>Revenue from 1/2 Cent</b>
2001-02	\$765.2	\$382.6
2002-03	\$797.3	\$398.7

These estimates assume a full year of tax.

Fiscal Research and the State Budget Office have also agreed to sales tax growth rate estimates for the next several fiscal years. The growth rates, as well as the corresponding 1 cent and ½ cent revenue estimates (in millions), are listed below.

<b>Fiscal Year</b>	<b>Growth from Previous Year</b>	<b>Revenue from 1 Cent</b>	<b>Revenue from 1/2 Cent</b>
2003-04	5.3%	\$839.6	\$419.8
2004-05	5.1%	\$882.4	\$441.2
2005-06	4.9%	\$925.6	\$462.8

Adjusting for the December 1, 2001 effective date suggests the following potential revenue stream:

(Millions)

<b>Fiscal Year</b>	<b>Local Sales Tax</b>
2001-02	\$198.4
2002-03	\$398.7
2003-04	\$419.8
2004-05	\$441.2
2005-06	\$462.8

While these estimates represent the total, statewide potential revenue stream to local governments, the language is permissive. As a result, no exact fiscal estimate is possible on the bill.

## **Hold Harmless Local Reimbursements at 105%**

Part 4 of the bill repeals the existing reimbursements to local governments for previous law changes. These reimbursements total \$333.4 million annually (see section below on local government reimbursements). However, Part 3 of the bill instructs the Secretary of Revenue to make an annual hold harmless payment to those local governments whose gain from the sales tax is less than 105% of their loss from the repealed reimbursements. The sales tax distribution formula mirrors the existing formula, with ½ of the revenues distributed on an adjusted per capita basis and ½ distributed on a point of sale basis.

In order to calculate a statewide hold harmless cost, FY 1999-00 annual sales tax reports were used to determine what proportion of all annual sales tax distributions were forwarded to each community. These percentages of the total were then applied to the estimated revenue streams noted above to create local sales tax revenue estimates. The individual revenue estimates were compared with the annual reimbursement data for each county and municipality. If a particular community's sales tax revenue did not compare favorably with 105% of the reimbursement amount, a hold harmless estimate was generated for that community. These individual hold harmless amounts were then totaled to determine the combined state liability for the 105% hold harmless provision. This calculation was made for each of the next five fiscal years.

(Millions)

<b>Fiscal Year</b>	<b>Hold Harmless</b>
2001-02	(\$157.7)
2002-03	(\$35.0)
2003-04	(\$29.1)
2004-05	(\$24.4)
2005-06	(\$20.1)

## **Repeal Local Government Reimbursements**

Since 1979 the General Assembly has made several changes to tax law that impact local governments. The state's cities and counties have received reimbursements from the state for some of these losses, particularly as they relate to the sales and property tax bases. The state reimburses local governments for property tax losses related to the repeal of taxes on inventories and intangibles, as well as some of the losses associated with the homestead exemption. Locals also receive a reimbursement for sales taxes that are no longer paid on items purchased with food stamps.

The legislature began exempting certain categories of intangible property in 1979. At that time, deposit accounts of less than \$1,000 were exempted. In 1985 that exemption was expanded to include money on deposit, money on hand, and certain accounts receivable. In 1995 most of the remaining forms of intangible property were exempted. Through

legislation in 1980, 1985, and 1987 the property tax on inventories was also removed. In 1985 the General Assembly exempted food stamps from local sales taxes. Most major changes in the homestead exemption have also included reimbursement, at least in part, by state government. Many of these reimbursement amounts are based on actual tax losses related to the first year of the repeal. These reimbursement amounts are fixed. The remainder was frozen in 1991.

According to the Department of Revenue's Tax Research Division, annual reimbursements are as follows:

(Millions)

<b>Reimbursement</b>	<b>Amount</b>
Food Stamps	\$6.4
Intangibles	\$128.7
Homestead	\$8.2
Retail & Wholesale Inventory	\$82.0
Manufacturers Inventory	\$108.1
<b>TOTAL</b>	<b>\$333.4</b>

Part 4 of the bill repeals all of these reimbursements. Because all reimbursement amounts are either fixed or frozen, no growth is included in the estimate.

### **Create New Tax Bracket for Taxable Income Over \$200,000**

Individual income tax rates are now 6%, 7%, and 7.75% as shown below.

<b><u>Filing status</u></b>		<b><u>Taxable income is more than</u></b>	<b><u>But not over</u></b>
Single	6%	\$0	\$12,750
	7%	\$12,750	\$60,000
	7.75%	\$60,000	
Head of Household	6%	\$0	\$17,000
	7%	\$17,000	\$80,000
	7.75%	\$80,000	
Married Filing Jointly or Qualifying Widow(er)	6%	\$0	\$21,250
	7%	\$21,250	\$100,000
	7.75%	\$100,000	
Married Filing Separately	6%	\$0	\$10,625
	7%	\$10,625	\$50,000
	7.75%	\$50,000	

Part 5 of the bill adds a new tax bracket for taxable incomes that are twice the current top rate as shown in the chart below.

8.25% for taxable incomes over:

\$200,000	Married filing jointly
\$160,000	Head of household
\$120,000	Single
\$100,000	Married filing separately

In tax year 2001, this tax increase will impact 9,848 single filers, 52,463 married couples, and 1,148 heads of households. The new 8.25% tax bracket sunsets after tax year 2003. The revenue estimates below were calculated using the North Carolina Individual Income Tax Model.

FY 2001-02	\$125.5 mil.
FY 2002-03	\$102.9 mil.
FY 2003-04	\$61.6 mil.

First year revenues equal all of Tax Year 2001 for returns filed in spring 2002 and 45% of Tax Year 2002 because of withholding and two quarterly estimated payments. High-income taxpayers avoid a penalty if estimated payments during the tax year equal at least 90% of actual liability. In the FY 2002-03, taxpayers will pay the remaining 55% of the tax due in tax year 2002 and again pay 45% in estimated payments for tax year 2003. FY 2003-04 is equal to the remaining 55% of tax year 2003.

**Equalize Taxation of HMOs & Medical Service Companies**

**I. HMOs**

Under current law, HMO's are not subject to a gross premiums tax but do pay corporate income and franchise taxes and the insurance regulatory fee. Regular insurance carriers pay a 1.9% premiums tax and no corporate income or franchise tax.

According to Department of Revenue reports from HMO's, the historical premium volume that would be subject to the tax is:

<b><u>Tax Year</u></b>	<b><u>Taxable Premiums</u></b> <b><u>(\$ Billions)</u></b>
1998	\$1.568
1999	1.825
2000	2.180

This data indicates annual growth of 17.9%. For this estimate, an annual growth estimate of 10.0% was used. This yields \$2.40 billion of taxable premiums for 2001 and \$2.64 billion for 2002. The application of a 1.0% tax rate in Part 8 of the bill produces \$26.4 million for the 2002-03 fiscal year.

Part 6 of the bill exempts HMO's from the corporate income and franchise taxes. According to the Tax Research Division of the Department of Revenue, these payments

amounted to \$3.63 million for the 1999 tax year. This amount was grown by 19% for 2000 and by 10% for 2001 and future years. The resulting corporate liability forecast is \$4.63 million for 2002 (2002-03 fiscal year). In this analysis, it is assumed that the companies take their offset through lower final tax payments or higher refunds, not lower estimated tax payments. Thus, the calendar year change converts to fiscal year.

Finally, the fact that HMO's will make installment payments in April and June 2003 in addition to 2002 tax year payments in March 2003 means that in theory the 2002-03 fiscal year could contain a one-time windfall of \$17.6 million. However, the statutes do allow an exemption from the required installment payments under certain circumstances. For this reason, the estimate includes only 25% of the potential windfall.

The finalized estimate for the proposal to tax HMO's at 1%, effective beginning with the 2002 tax year, is shown below:

	(\$ Millions) <u>2002-03</u>	(\$ Millions) <u>2003-04</u>
Premium Tax- Recurring	\$26.4	\$29.0
Premium Tax- Nonrecurring	4.4	
Less: Repeal of Corporate Taxes	<u>-4.6</u>	<u>-5.1</u>
Net Impact	\$26.2	\$23.9

## II. Medical Service Companies

Blue Cross/Blue Shield and Delta Dental now pay a .5% premiums tax and no corporate income or franchise tax. Regular insurance carriers pay a 1.9% premiums tax and no corporate income or franchise tax. Part 6 of the bill increases the gross premiums tax on medical service companies such as Blue Cross/Blue Shield and Delta Dental to 1%.

The first step in estimating the impact of the rate increase on Blue Cross/Blue Shield and Delta Dental was to review the recent history of taxable premiums for these carriers. This data was provided by the Department of Revenue, the agency that collects the existing .5% tax. The data for recent years is shown below:

<u>Tax Year</u>	(\$ Billions) <u>Taxable Premiums</u>
1997	\$1.082
1998	1.185
1999	1.175
2000	1.256

This data indicates that the average annual growth rate during this period was 3.8%. To be conservative, this fiscal analysis uses a 2.0% rate, yielding an estimate of \$1.307



billion for 2002. The application of the .5% rate increase in the bill would mean an additional \$6.53 million for the 2002 tax year (2002-03 fiscal year).

In addition, there would be a one-time windfall for the 2002-03 fiscal year due to the fact that in April, June, and October of each calendar year insurance companies must pay installments on their tax liability for that year. Unlike the corporate income tax, the installment payments are not based on a percentage of estimated liability for the year, but are tied to the annual liability for the prior year. The required percentage for each installment payment is 33 1/3% of the prior year's liability. Thus, for the 2002-03 fiscal year the General Fund will receive not only 100% of the 2002 calendar year liability (for which no installment payments have been made) but also two installment payments against the 2003 tax year. These installments would be equivalent to 66 2/3% of the prior year's annual liability, or \$4.35 million. However, the statutes do allow an exemption from the required installment payments under certain circumstances. For this reason, the estimate includes only 25% of the potential windfall, or \$1.1 million.

**Impose State Sales Tax on Spirituous Liquor**

Part 7 of the bill imposes a 6% state sales tax on spirituous liquor effective October 1, 2001. The North Carolina Alcoholic Beverage Control Commission reports annually on its retail sales and the volume of bottles sold in its 392 stores. Retail sales have grown from \$308.6 million in FY 1994-95 to \$367.7 million in FY 1999-00. The average annual growth rate in this five-year period is 3.82%. The five-year projection for the 6% sales tax on retail liquor sales is based on FY 1999-00 actual sales inflated each year by 3.82%. This growth rate appears reasonable based on sales in the first nine months of FY 2000-01 that exceed the annual average. Since there is no readily available data to predict how North Carolinians will react to an increase in liquor prices, no adjustment is made in retail sales based on consumption. Sales tax collections in FY 2001-02 will be for only six months given the December 1 effective date and a month lag in collections. Instead of a full year's collections of \$23.8 million as shown in the chart below, the state will collect only \$11.89 million.

	Liquor Sales	
	<u>Retail Sales</u>	<u>6% State Sales Tax</u>
<b>FY 2000-2001</b>	\$381,703,699	
<b>FY 2001-2002</b>	\$396,284,781	\$23,777,087
<b>FY 2002-2003</b>	\$411,422,859	\$24,685,372
<b>FY 2003-2004</b>	\$427,139,213	\$25,628,353
<b>FY 2004-2005</b>	\$443,455,931	\$26,607,356
<b>FY 2005-2006</b>	\$460,395,947	\$27,623,757

**Repeal Tax Break for Luxury Cars/No Fire & Rescue Vehicle Tax**

Part 8 of the bill deletes the \$1,500 cap on the 3% Highway Use Tax for non-commercial vehicles and exempt fire trucks and rescue vehicles owned by qualifying volunteer fire departments and volunteer rescue squads from the Highway Use Tax. The additional revenue generated from this section of the bill will go to the General Fund, not the Highway Trust Fund.

According to the Division of Motor Vehicles, approximately 4,800 vehicles were taxed at the maximum rate of \$1,500 (corresponding to a vehicle price of \$50,000) in FY1999-2000. The tax on these vehicles totaled \$7.2 million. The actual average price of these vehicles is not available, but it is reasonable to assume that there is a gradual decline in the number of vehicles in each price bracket as the price moves higher. The number of vehicles in the price bracket from \$48,000 to \$49,000 was 390. It is assumed that there were 300 vehicles in the price bracket from \$49,000 to \$50,000 and that there is a constant percentage decline in the number of vehicles as the price bracket changes. Because the number of vehicles in each tax bracket decreases as the tax brackets increase, the average tax paid by vehicles in each bracket is something less than the midpoint of the bracket. That is, in each bracket most of the vehicles are clustered toward the lower end. It is assumed that in each \$30 tax bracket the average vehicle will have a tax due of \$10 greater than the minimum for that bracket. Using this methodology, the average value of the 4,800 vehicles that paid the maximum tax in FY1999-2000 was \$66,350 and the additional tax that would have been paid for the average vehicle was \$491 (equal to 3% of the average value in excess of \$50,000). In FY1999-00 the fiscal impact would have been the number of vehicles (4,800) multiplied by the additional tax per vehicle (\$491), or \$2,358,296. This figure is used as the base and the fiscal impact is assumed to grow for the fiscal note forecast period by the same percentage as the Highway Use Tax collections as projected by the Office of State Budget, Planning and Management (see table below).

Forecast Growth Rate in Highway Use Tax

<b>Fiscal Year</b>	<b>Growth Rate</b>
FY2000-01	1.6%
FY2001-02	3.0%
FY2002-03	7.8%
FY2003-04	5.8%
FY2004-05	5.7%
FY2005-06	5.2%

Section 8(d) of the bill exempts vehicles purchased by volunteer fire departments. According to the Department of Insurance, approximately 1,000 volunteer fire departments would qualify for this tax exemption. Each of those departments will have approximately three qualifying vehicles that are replaced on a twenty-year cycle. The result is that approximately 150 vehicles are purchased each year. Based on their high cost and weight (generally over 26,000 pounds), the loss in Highway Use Tax would be 150 vehicles at \$1,000 each or about \$150,000 per year.

Section 8(d) also exempts vehicles purchased by volunteer rescue squads. According to the North Carolina Association of Rescue and EMS, there are approximately 400 rescue squads that would qualify under the legislation. On average, these rescue squads would have approximately 1.5 emergency service vehicles each and the State total would be about 600 vehicles. Since these vehicles are replaced about every eight years on average, there will be approximately 75 emergency service vehicles purchased each year. These vehicles generally cost over \$50,000 but they generally weigh less than 26,000 pounds and would therefore be taxed at \$1,500 per vehicle. The loss in Highway Use Taxes would therefore be 75 vehicles at \$1,500 each or about \$112,500 per year.

The net impact of the Highway Use Tax changes is shown below. The first year revenue is reduced by one fourth (\$1.7 million) due to an October 1, 2001 effective date.

	<u>FY 01-02</u>	<u>FY 02-03</u>	<u>FY 03-04</u>	<u>FY 04-05</u>
<b>Highway Use Tax (delete \$1500 cap)</b>	<b>\$2,467,910</b>	<b>\$2,660,407</b>	<b>\$2,814,710</b>	<b>\$2,975,149</b>
<b>Highway Use Tax (exempt vehicles)</b>	<b>(\$262,500)</b>	<b>(\$262,500)</b>	<b>(\$262,500)</b>	<b>(\$262,500)</b>
<b>Net impact</b>	<b>\$2,205,410</b>	<b>\$2,397,907</b>	<b>\$2,552,210</b>	<b>\$2,712,649</b>

### **Begin Sales Tax Holiday**

Part 9 of the bill creates a temporary, three-day sales tax exemption for clothing, clothing accessories, school supplies, computers, printers, and educational software. The exemption does not apply to clothing and footwear items that exceed \$100.00. This is generally referred to as a sales tax holiday. The temporary exemption or “holiday” occur each year over the first weekend in August. Some version of a sales tax holiday exists in seven other states and the District of Columbia.

Arthur Andersen Consulting, under contract with the National Retail Federation, developed a model to be used by states to determine the sales tax impact of a variety of sales tax holidays. This model incorporates data from the U.S. Census Bureau of Economic Analysis, U.S. Catalog Market Report, Forrester Research, Eggert’s Blue Chip Estimates, the Florida Retail Association, the Texas Controller’s Office, and various state governments.

Assuming a three-day exemption that applies to clothing, accessories, and footwear with a \$100 per item cap, the model indicates a FY 2002-03 state revenue loss of \$5.81 million. One-half of that amount or \$2.91 is the expected local loss.

The sales tax holiday also includes computers, printers, printer supplies, and educational software (\$3,500 cap). A similar sales tax holiday for computers exists in Pennsylvania. Using results of that computer sales tax holiday as a proxy for North Carolina, making

adjustments for population and income, suggests this portion of the holiday will cost an additional \$2.5 million in the first year.

Combining these loss figures, using a 4% growth rate, and taking into account the new local sales tax provision included in the primary bill, creates the following five-year cost estimate.

(\$million)

	2001-02	2002-03	2003-04	2004-05	2005-06
State	0	8.31	8.64	8.99	9.35
Local	0	5.19	5.40	5.62	5.84

Note: Interpretation of this bill section by the Department of Revenue could alter the fiscal impact of the legislation.

## **Expenditures**

### **I. Sales Tax Changes**

The Department of Revenue has projected that the implementation cost of a half cent sales tax with a 105% hold harmless clause will be \$1,470,321 in nonrecurring expenses and \$116,886 in recurring expenses in FY 2001-02. Future recurring costs are estimated to be \$386,357 per fiscal year. The Department requests the following nonrecurring expenses:

<u>Planning, Development &amp; Technology</u>	<u>FY 2001-02</u>
Contractual Services	\$750,000
Computers	\$23,000
 <u>Taxpayer Assistance</u>	
Temporary Wages	\$54,000
Social Security Contribution	\$4,131
 <u>Examination and Collection</u>	
Temporary Wages	\$54,000
Social Security Contribution	\$4,131
 <u>Administrative Services</u>	
Temporary Wages	\$9,000
Social Security Contribution	\$689
Postage/Forms	\$350,000
Furniture/Office Equipment	\$27,600
 <u>Documents/Payment Processing</u>	
Temporary Wages	\$180,000
Social Security Contribution	\$13,770
 Total Nonrecurring Expenses	 \$1,470,321

The recurring expenses proposed by the Department are for 5 new positions in the Examination and Collections Division and 1 position in Taxpayer Assistance. The first year

salaries and benefits in the chart below are for 3 months for five positions and 6 months for one position.

	<u>FY 2001-02</u>	<u>FY 2002-03</u>
<u>Planning, Development &amp; Technology</u>		
Maintenance Agreements - Equipment/Software	\$1,800	\$1,800
<u>Taxpayer Assistance</u>		
Salaries (1 position - 1/1/02)	\$25,865	\$51,729
Fringe Benefits	\$5,179	\$10,356
<u>Examination and Collection</u>		
Salaries (5 positions – 4/1/02)	\$59,007	\$236,030
Fringe Benefits	\$12,060	\$48,242
Travel - In state	\$10,000	\$40,000
<u>Administrative Services</u>		
Telephone service/General office supplies	\$2,975	\$5,100
Total Recurring Expenses	\$116,886	\$393,257

**NOTE:** Current law allows the Department of Revenue to reduce local sales tax distributions to absorb the cost of collection. While the bill does not explicitly give the Department this authority for the new tax, the data used to calculate revenues includes that administrative expense. Recent reports from the Department indicate that the cost of collection is \$0.484 per \$100.00 of collections. Applying this ratio to the estimated statewide revenues suggests that \$1.11 million has been allocated from the FY 2001-02 revenues for administration. In FY 2002-03 that amount increases to \$1.9 million. Out year projections include \$2.0 million in FY 2003-04, \$2.1 million in FY 2004-05, and \$2.2 million in FY 2005-06.

## **II. Income Tax Withholding Tables**

To implement the new 8.25% tax rate and increased standard deduction, the Department of Revenue estimates that it will need a one-time appropriation of \$143,228 in FY 2001-02. These funds will be used to print and mail revised withholding tables to employers.

## **III. Sales Tax on Liquor**

The ABC Commission estimates that it will cost each of the 400 ABC stores across the state approximately \$350 to \$400 per store to upgrade their cash registers. This \$140,000 to \$160,000 expense will be funded by the operating budgets of the local ABC stores. It will take a minimum of 90 days to complete the upgrade.

**FISCAL RESEARCH DIVISION 733-4910**

**PREPARED BY:** Richard Bostic, Linda Millsaps, and David Crotts

**APPROVED BY:** James D. Johnson

**DATE:** August 28, 2001



**Signed Copy Located in the NCGA Principal Clerk's Offices**