

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0410-01
Bill No.: SB 15
Subject: Taxation and Revenue – Income; Tax Credits; Disabilities; Housing
Type: Updated#
Date: March 16, 2005

Updated to reflect information received subsequent to the issuance of the original fiscal note.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
General Revenue #	\$0	\$0 to (\$100,000)	\$0 to (\$100,000)
Total Estimated Net Effect on General Revenue Fund	\$0	\$0 to (\$100,000)	\$0 to (\$100,000)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Total Estimated Net Effect on Other State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of Administration – Division of Budget and Planning (BAP)** assume this proposal would provide a tax credit for modifying the home of a disabled person. These credits cannot exceed \$100,000 in the aggregate. BAP assumes there would be a negative \$100,000 impact annually to general and total state revenues. This proposal would have no impact on the BAP.

Officials from the **Department of Social Services** assume this proposal provides tax credits for disabled accommodations and would not fiscally impact their agency.

Officials from the **Department of Revenue (DOR)** assume the refundable nature of this tax credit as drafted could limit the availability of the credit to 40 taxpayers per year (\$100,000 cap/\$2,500 limit per applicant). Therefore, DOR will not request additional FTE at this time. If DOR is wrong in the assumption, the following FTE will be needed :

Personal Tax will need one Tax Processing Tech to handle the resolution, verification, processing, and tracking of the credit.

Customer Assistance anticipates that there will be additional telephone calls to the income tax hotline regarding this credit and calls on the adjusted notices of refunds that are denied because of documentation on the credit. One Tax Collection Tech I will be

ASSUMPTION (continued)

needed for every 24,000 additional calls received on telephone number 751-3505. One Tax Collection Tech will be needed for every 15,000 calls received on 751-7200 regarding billings due to this credit.

DOR assumes this tax credit is likely to require a change in procedure in the Division of Taxation for keeping track of the amount of tax credits used in a given year. This would require a change in procedure and in information technology to accommodate the credit. The Division of Taxation would have to modify the individual income tax system and PC systems to allow for taxpayers to take the credit. DOR estimates that 1,384 hours of programming and testing will be needed at a cost of \$46,170.

Since **Oversight** assumes the number of taxpayers that would actually take advantage of this credit will be smaller than the work measures listed by DOR for additional staff, **Oversight** assumes any FTE needed could be requested in the normal budget process. The programming costs are reflected in the fiscal impact.

Officials from the **Department of Revenue (DOR)** provided a revised response which stated that DOR plans to cover the costs of implementing this legislation through its core budget. If it is unable to do so, additional FTE and programming would be requested through the regular budget process. Therefore, **Oversight** assumes no fiscal impact on DOR as a result of this proposal

Officials from the **Secretary of State (SOS)** assume this bill provides a tax credit for modifying a home for a disabled person. This could create new rules or amendments by the Department of Revenue which could result in SOS publishing rules in the Missouri Register and the Code of State Regulations. This action could require as many as approximately 6 pages in the Code of State Regulations. For any given rule, roughly half again as many pages are published in the Missouri Register as in the Code because cost statements, fiscal notes and the like are not repeated in Code. These costs are estimated. The estimated cost for FY 2006 is \$369. The estimated cost of a page in the Missouri Register is \$23. The estimated cost of a page in the Code of State Regulations is \$27. The actual costs could be more or less than the numbers given. The impact of this legislation in future years is unknown and depends upon the frequency and length of rules filed, amended, rescinded and withdrawn.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriations process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

ASSUMPTION (continued)

Since no information or statistics are available for the modification expenses for housing access,

Oversight assumes the revenue impact for this proposal would be zero to \$100,000 for FY 2007 and FY 2008.

This legislation would result in a loss to Total State Revenue.

<u>FISCAL IMPACT - State Government</u>	FY 2066 (10 Mo.)	FY 2007	FY 2008
GENERAL REVENUE FUND #			
<u>Loss - General Revenue Fund</u>			
Accessible Home Tax Credit Program	\$0	(\$0 to \$100,000)	(\$0 to \$100,000)
<u>Cost - Dept. of Revenue</u>			
Programming #	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
ESTIMATED NET EFFECT ON			
GENERAL REVENUE FUND #			
	<u>\$0</u>	<u>\$0 to (\$100,000)</u>	<u>\$0 to (\$100,000)</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2006 (10 Mo.)	FY 2007	FY 2008
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal will enable a taxpayer making less than \$30,000 per year who modifies their home to be accessible to a disabled person who resides with the taxpayer to claim a credit against their income tax for one hundred percent of the costs of modification, up to \$2,500. For taxpayers making DESCRIPTION (continued)

between \$30,000 and \$60,000, a credit will be allowed in the amount equal to fifty percent of the

costs of modification, up to \$2,500. All tax credits will be refundable, up to \$2,500 per year. The credits are not transferrable. The credit has a statewide maximum of \$100,000 per year.

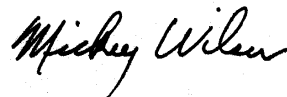
If any portion of the modification was claimed as a deduction on the taxpayer's federal income tax, then the amount of the tax credit shall be reduced by 1/3.

The credit applies to tax years beginning January 1, 2006, and expires December 31, 2011.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Revenue
Office of Administration
Division of Budget and Planning
Department of Social Services
Secretary of State



Mickey Wilson, CPA
Director
March 16, 2005