

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1041-02
Bill No.: HCS for HB 563
Subject: Tax Incentives; Taxation and Revenue - General; Revenue, Department of;
Property, Real and Personal
Type: Original
Date: February 27, 2017

Bill Summary: This proposal would authorize an income tax deduction for contributions to a savings account dedicated to buying a first home.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
General Revenue	(\$65,146)	(Could exceed \$1,000,000)	(Could exceed \$1,000,000)
Total Estimated Net Effect on General Revenue	(\$65,146)	(Could exceed \$1,000,000)	(Could exceed \$1,000,000)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 8 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
Total Estimated Net Effect on FTE	0	0	0

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2018	FY 2019	FY 2020
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of Administration - Division of Budget and Planning (BAP)** assume this proposal would create a tax deduction, beginning with tax year 2018, for first time home owners who contribute to a first-time home buyer savings account. The deduction would be equal to half of qualifying contributions and only available to individuals who have never owned a home.

BAP officials provided data from the Missouri Realtor's Association indicating there were 6,163 homes sold in Missouri during 2016 with a median price of \$149,000. BAP officials also provided information from the National Realtor's Association indicating 38% of all home buyers in the West/North/Central region of the U.S. have never owned their own homes, the typical down payment is approximately 10% of the purchase price, and 63% of all buyers are married couples.

Using the above information, BAP officials estimated there would be \$17.9 million in total eligible contributions. However, since deductions do not reduce revenues on a dollar for dollar basis, BAP officials estimated this proposal would reduce Total State Revenue and General Revenue by approximately \$1.1 million per year, beginning in FY 2019.

The legislation provides for the recapture of all money withdrawn within a year if the moneys are not used for the purchase of a house. The recaptured amount would be added to the Missouri adjusted gross income of the account holder or qualified beneficiary. BAP officials stated they could not determine how much, if any, funds could be recaptured under this provision.

Oversight notes the BAP calculation of revenue reduction could be summarized as follows:

Homes sold in Missouri		6,163
Average price of a home		<u>\$149,000</u>
Total indicated sales	(6,163 x \$149,000)	\$918,287,000
38% Sales to first time buyers	(\$918,287,000 x 38%)	\$348,949,060
10% Down payment	(\$348,949,060 x 10%)	<u>\$34,894,906</u>
50% Indicated deductions	(\$34,894,906 x 50%)	<u>\$17,447,453</u>
6% Indicated revenue reduction	(\$17,447,453 x 6%)	<u>\$1,046,847</u>

ASSUMPTION (continued)

Oversight also notes the BAP calculation of revenue reduction would be based on every eligible home buyer being able and willing to make deposits into a designated savings account, but only accumulating a 10% down payment. The deduction would also be available to family members in place of a nondeductible gift to the home buyers. Oversight will assume the revenue reduction could be more than \$1 million per year since it is available to more taxpayers than the estimated number of home buyers and could be used to accumulate a larger down payment.

Oversight will include a revenue reduction beginning in FY 2019 when 2018 tax returns are filed. Oversight is aware that some entities would reduce withholding or estimated tax payments in anticipation of a tax reduction but will indicate the full impact for the proposal in the year the tax returns would be filed.

Finally, Oversight assumes the amount of additional tax due to the recapture of withdrawals would not be significant.

Officials from the **Department of Revenue** assume this proposal would have an unknown, negative impact on Total State Revenue as the number of first-time home buyers is indeterminable.

Section 143.1150, RSMo

DOR officials noted this section would create the First-Time Home Buyer Tax Deduction. Beginning January 1, 2018, the legislation would allow a taxpayer a fifty percent deduction of the taxpayer's contribution to a first-time home buyer savings account. The proposal would exempt the savings account and income derived from the account from taxation.

Sections 443.1001 through 443.1007, RSMo

DOR officials noted these sections would allow any individual to open a first-time home buyer savings account for the purchase of a primary residence in Missouri. The legislation restricts the amounts the home buyer may contribute to the account. The maximum annual amounts of contributions are \$16,000 for individual filers and \$32,000 for joint filers. In addition, the legislation limits the maximum amount for all tax years to \$50,000 and a total amount in an account of \$150,000.

ASSUMPTION (continued)

Administrative Impact

DOR officials assume DOR would require form revisions and programming changes to implement this legislation. In addition, Personal Tax would require two additional Temporary Tax Employees to key returns and two additional Revenue Processing Technicians I for error correction and correspondence. Collections and Tax Assistance would have additional customer contacts from the deduction, notice of adjustments and possible billings if taxpayers make corrections to returns, and would require two additional Tax Collection Technicians I (Range 10, Step L); one for every additional 15,000 contacts annually on the non-delinquent tax line and one additional Tax Collection Technician I (Range 10, Step L) for every additional 15,000 contacts annually on the delinquent tax line. Each technician would require CARES equipment and license.

In total, the **DOR** response included four additional employees. The total cost, including personnel, benefits, equipment, and expense, totaled \$193,064 for FY 2018, \$204,612 for FY 2019, and \$206,316 for FY 2020.

Oversight notes the number of tax returns which would be impacted by this proposal could be estimated as follows.

Sixty-three percent could be married couples making a maximum contribution of \$32,000 and thirty-seven percent could be single filers making a maximum contribution of \$16,000. Since each person would be making a contribution of \$16,000, the number of persons taking the deduction would be $(\$34,894,906 \text{ in accumulated savings} / \$16,000 \text{ contribution limit per person}) = 2,181$ persons. Sixty-three percent $(2,181 \times .63) = 1,374$ would file a combined Missouri return, and there would be $(1,374 / 2) = 687$ combined returns. Thirty-seven percent would file individual returns, and there would be $(2,181 \times .37) = 807$ individual returns for a total of $(687 + 807) = 1,494$ returns claiming this deduction. The possibility of persons making contributions less than the maximum amount would indicate a larger number of contributors could take the deduction, but Oversight assumes the total number of returns would not likely be very large.

Oversight assumes that implementing this proposal would most likely involve a limited number of lines, and assumes this proposal could be implemented with existing administrative resources. If unanticipated costs are incurred or if multiple proposals are implemented which increase the DOR workload, resources could be requested through the budget process.

ASSUMPTION (continued)

IT impact

DOR officials assume the Integrated Tax System would require an additional \$65,146 in programming to implement the provisions of this legislation.

Oversight will include the DOR estimate of IT cost in this fiscal note.

Officials from the **Office of the Secretary of State (SOS)** stated many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$2,500. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, we also recognize that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what our office can sustain with our core budget. Therefore, we reserve the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

Officials from the **Joint Committee on Administrative Rules** stated this legislation is not anticipated to cause a fiscal impact to their organization in excess of available resources.

Officials from the **University of Missouri - Economic and Policy Analysis Research Center** stated they were unable to estimate the number of taxpayers who would open a First-Time Homebuyers Savings Account or the amounts those taxpayers might contribute to such an account and could not provide an estimate of the fiscal impact of this proposal.

<u>FISCAL IMPACT - State Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
GENERAL REVENUE FUND			
<u>Cost</u> - Department of Revenue IT	(\$65,146)	\$0	\$0
<u>Revenue reduction</u> - Deductions for contributions to savings accounts dedicated to buying a first time home.	\$0	(Could exceed <u>\$1,000,000</u>)	(Could exceed <u>\$1,000,000</u>)
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	<u>(\$65,146)</u>	<u>(Could exceed \$1,000,000)</u>	<u>(Could exceed \$1,000,000)</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2018 (10 Mo.)	FY 2019	FY 2020
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

This proposal is not expected to have a direct fiscal impact to small businesses.

FISCAL DESCRIPTION

The proposed legislation would authorize an income tax deduction for contributions to a savings account dedicated to buying a first home.

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

Office of the Secretary of State
Joint Committee on Administrative Rules
Office of Administration
 Division of Budget and Planning
Department of Revenue
University of Missouri
 Economic and Policy Analysis Research Center



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February 27, 2017

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February 27, 2017