

Doug Gibbs January 19, 2012 402-471-0051

LB 818

Revision: 01 FISCAL NOTE LEGISLATIVE FISCAL ANALYST ESTIMATE

Revised due to new and additional information

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ESTIMATE OF FISCAL IMPACT – STATE AGENCIES *							
	FY 2012-13 FY 2013-14						
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE			
GENERAL FUNDS							
CASH FUNDS		See Below		See Below			
FEDERAL FUNDS							
OTHER FUNDS							
TOTAL FUNDS		See Below		See Below			

*Does not include any impact on political subdivisions. See narrative for political subdivision estimates.

LB 818 amends Nebraska Revised Statutes Section 76-902, dealing with the documentary stamp tax, to exempt from the tax spouses and ex-spouses when conveying rights to property acquired during the marriage.

The Documentary Stamp Tax rate is \$2.25 per \$1,000 of value. \$0.95 is credited to the Affordable Housing Trust Fund; \$0.50 is retained by the county; \$0.30 is credited to the Behavioral Health Services Fund; \$0.25 is credited to the Homeless Shelter Assistance Trust Fund; and \$0.25 is credited to the Site and Building Fund.

The Department of Revenue assumes that the proposed exemptions will have the same effect as the average of the current 22 exemptions, both in terms of use and dollar value. The Department estimates the following fiscal impact:

		Homeless			
	Affordable	Shelter	Behavioral	Site &	
	Housing Trust	Assistance	Health	Building	
	Fund:	Fund:	Fund:	Fund:	Total:
FY2012-13:	(\$185,000)	(\$49,000)	(\$58,000)	(\$49,000)	(\$341,000)
FY2013-14:	(\$188,000)	(\$50,000)	(\$59,000)	(\$50,000)	(\$347,000)
FY2014-15:	(\$192,000)	(\$51,000)	(\$61,000)	(\$51,000)	(\$355,000)

The Department indicates no costs to implement LB 818.

Based on additional information we disagree with the Department of Revenue's estimate of fiscal impact. The proposed legislation appears to clarify what is already standard practice in almost every Nebraska county and therefore the fiscal impact is minimal.

IMPACT TO POLITICAL SUBDIVISIONS:

The Department of Revenue estimates the impact to the counties as follows:

FY2012-13:	(\$ 97,000)
FY2013-14:	(\$ 99,000)
FY2014-15:	(\$101,000)

Based on additional information we disagree with the Department of Revenue's estimate of fiscal impact. The proposed legislation appears to clarify what is already standard practice in almost every Nebraska county and therefore the fiscal impact is minimal.

DEPARTMENT OF ADMINISTRATIVE SERVICES							
	REVIEWED BY	Lyn Heaton	1/18/12	PHONE 471-2526			
COMMENTS							

DEPT. OF REVENUE – No basis upon which to disagree as no records are available relative to the frequency of each of the different forms of the transactions.

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LB 818				JAN I I 201	Fiscal Note	2012
		State Agency	Estimate LEC	3101 .	2 F ISCAL INOTE Date Due LFA: (2 Phone: 471-5700 FY 201	
State Agency Name: Department of	of Revenue			WEE	Date Due LFA:	1/12/2012
Approved by: Douglas Ewald		Date Prepared:	1/9/2012	CA.	L Phone: 471-5700	
	FY 201	2-2013	FY 2013-2014		FY 2014-2015	
	Expenditures	Revenue	Expenditures	Revenue	Expenditures	Revenue
General Funds						
Cash Funds		(\$341,000)		(\$347,000)		(\$355,000)
Federal Funds						
Other Funds		(\$97,000)		(\$99,000)		(\$101,000)
Total Funds		(\$438,000)		(\$447,000)		(\$456,000)

LB 818 amends the Documentary Stamp Tax Act to exempt deeds between spouses and ex-spouses for the purpose of conveying any rights to property acquired during the marriage.

Currently, the Documentary Stamp tax rate is \$2.25 per \$1,000 of value. Counties retain \$0.50 from the \$2.25 collected. Twenty-five cents of the remaining \$1.75 is credited to the Homeless Shelter Assistance Trust Fund, \$0.95 is credited to the Affordable Housing Trust Fund, \$0.30 is credited to the Behavioral Health Services Fund, and \$0.25 is credited to the Site and Building Fund.

Assuming the exemption has the same effect as the average of the 22 current exemptions, both in terms of its use and the dollar value of the transaction, the estimated impact of the new exemptions will be as follows:

	Affordable Housing Trust Fund	Homeless Shelter Assistance Fund	Behavioral Health	Site & Building Fund	County
FY 2012-2013	(\$185,000)	(\$49,000)	(\$58,000)	(\$49,000)	(\$97,000)
FY 2013-2014	(\$188,000)	(\$50,000)	(\$59,000)	(\$50,000)	(\$99,000)
FY 2014-2015	(\$192,000)	(\$51,000)	(\$61,000)	(\$51,000)	(\$101,000)

The Department of Revenue will have no costs to implement LB 818.

Major Objects of Expenditure								
<u>Class Code</u>	Classification Title	12-13 FTE	13-14 <u>FTE</u>	14-15 <u>FTE</u>	12-13 Expenditures	13-14 <u>Expenditures</u>	14-15 Expenditures	
Benefits				l			w####	
Operating Costs								
Travel								
Capital Outlay					0			
	••••••							
Total								