

FISCAL NOTE
 Requested by Legislative Council
 03/23/2011

REVISION

Amendment to: HB 1189

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2009-2011 Biennium		2011-2013 Biennium		2013-2015 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues			(\$38,500,000)			
Expenditures						
Appropriations						

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2009-2011 Biennium			2011-2013 Biennium			2013-2015 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

Engrossed HB 1189 provides a corporation income tax exemption for the first \$75,000 of taxable income, and imposes a 4.9% tax rate on taxable income in excess of \$75,000.

B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

If enacted, Engrossed HB 1189 is expected to reduce corporation income tax collections by \$38.5 million in the 2011-13 biennium.

This fiscal note is being REVISED to reflect the March 23, 2011 reduction in the corporation income tax forecast to account for the estimated impact of depreciation expensing provisions recently enacted by Congress.

It is possible that the exemption of the first \$75,000 of annual income may cause other types of businesses currently taxed as individuals to consider a business reorganization to corporation status to take advantage of the income tax exemption. If this occurs, Engrossed HB 1189 could cause a reduction in individual income tax collections as well.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a*

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