Taxes and Revenues: Pension Task Force

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Joint Fiscal Office
June 29, 2021

Bus Tour of Revenue/Tax World

- Quick stop at Tax School
- 2) Major landmarks
 - 1) Personal Income Tax
 - 2) Sales and Use Tax
 - 3) Corporate Income Tax
- 3) Quick stop for other tax types and other potential
 - revenue ideas
- 4) Tax Expenditures



Tax School





Anatomy of a tax

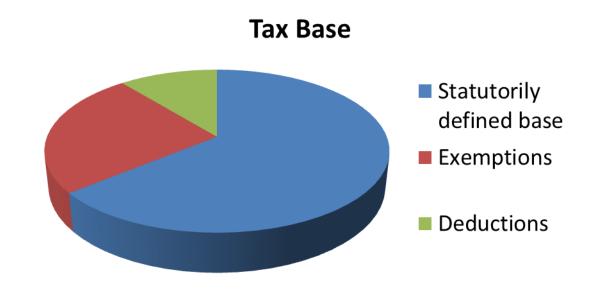
Tax Base (x) Rate = Liability (minus credits)

The bigger the base, the lower the rate The higher the rate, the smaller the base



Tax Base

A tax base is defined by what is included by the statutory language, minus any exemptions and deductions.





Exemptions

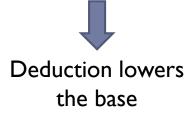
- An **exemption** is a systemic exclusion from the tax, and is usually limited to a particular group of taxpayers.
 - Example: Vermont has a property tax, but most libraries are statutorily exempt from the paying the tax, even if their property would otherwise be taxable.
- An exemption can be a full exemption or a partial exemption.
 - Full exemptions obviously cost more, while partial exemptions require more compliance work by the taxpayer and the Department of Taxes.



Deductions

A **deduction** is an amount that an individual taxpayer is permitted to subtract from his or her tax base, which typically has the effect of reducing his or her liability.

BASE(x) RATE = LIABILITY





Tax Rates

Tax rates can be fixed or tiered.

- Vermont's sales tax is an example of a fixed rate.
- Vermont's income taxes are examples of tiered rates.
 - Tiered rates are typically structured as a series of brackets.
 - Most tiered rates are structured to be progressive: liability increases smoothly from bracket to bracket.
 - Taxpayer pays only the assigned rate for each dollar within that bracket.



Tax Brackets: Terminology

- For tiered rates, a taxpayer's "marginal tax rate" is the tax paid on the last dollar in the base.
 - Example: a taxpayer with \$20,000 in income
 - ► Marginal Rate= 10%
- A taxpayer's "effective tax rate" is the actual rate of tax for the entire liability
 - $\frac{Total\ tax\ liability}{Total\ base}*100$
 - Example: taxpayer with \$20,000 in income
 - First \$10,000 in income taxed at 5% = \$500
 - Second \$10,000 in income taxed at 10% = \$1,000
 - $\frac{\$500 + \$1,000}{\$20,000} * 100 = 7.5\%$

Taxable Income	Rate
\$0-10,000	5%
\$10,001-100,000	10%
\$100,001-1,000,000	15%
\$1,000,000+	20%

Liability modifications - credits

- A credit is an amount that reduces a taxpayer's tax liability. It
 does not reduce the base or the rate, but lowers the resulting
 liability.
- Credits can be either refundable or nonrefundable. A
 refundable credit means that the taxpayer receives a payment
 if the credit reduces his or her liability below zero.
 - \$100 tax liability, but a \$150 refundable credit = zero liability + \$50
- A nonrefundable credit can reduce a liability to zero, but not any further.
 - \$100 tax liability, but a \$150 nonrefundable credit = zero liability + a possible carryforward against future liability



Structure of Briefing

- What is it?
- How much do we collect?
- Who pays it?
- What's new? How is COVID-19 affecting this revenue stream?



Personal Income Tax

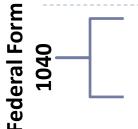
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Your first name a	nd middle initial	Last n	ame					Your social se	ecurity numi	er									
If joint return, spo	use's first name and middle initial	Last n	name					Spouse's soci	al security n	umber									
Home address (n	umber and street). If you have a P.O	box, see instruc	tions.			Apt.	no.	Presidential E Check here if											
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and check here ►								Address (Numbe	I allu Streevin	oad of FOE	БОХ)								
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Personal Income Tax- What is it?

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Filing Status		Single Married filing jointly	∏ Ma	rried filir	na sep	arately (MFS)	Head of ho	usehold (HOH) Quali	ifying widow	v(er) (QW)	
Check only	_	u checked the MFS box, enter the nam	_				_		. —			
one box.	-	ild but not your dependent. ►										
Your first name	and m	iddle initial	Li	ast nam	9					Your socia	al security number	
If joint return, spouse's first name and middle initial Last name Sg										Spouse's s	social security number	
Home address (number and street). If you have a P.O. box, see instructions. Apt. no. Presidential Election												
											you, or your spouse if filing 3 to go to this fund.	
City, town or po	ost offic	ce, state, and ZIP code. If you have a fo	oreign	addres	s, also	o complete sp	aces below (see i	nstructio	ns).		x below will not change your	
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Foreign country	y name			Fo	reign	province/state	o/county	Fo	reign postal code	If more tha	n four dependents,	
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Dependents ((1) First name	see ins	structions): Last name	-	(2) So	cial sec	curity number	(3) Relationship	to you	(4) ✓ if Child tax cre		ee instructions): redit for other dependents	
(1)												
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	3a	Qualified dividends	3a						ach Sch. B if require			
Standard Deduction for—	4a	IRA distributions	4a				b Taxable amo			4b		
Single or Married	С	Pensions and annuities	4c				d Taxable amo	unt .		4d		
filing separately, \$12,200	5a	Social security benefits	5a				b Taxable amo	unt .		. 5b		
Married filing jointly or Qualifying	6	Capital gain or (loss). Attach Schedul	le D if	require	d. If n	ot required, cl	neck here		▶ [6		
widow(er),	7a	Other income from Schedule 1, line 9								7a		
\$24,400 Head of	b	Add lines 1, 2b, 3b, 4b, 4d, 5b, 6, and	d 7a.	This is y	our to	otal income				- 7b		
household, \$18,350	8a	Adjustments to income from Schedu	le 1, li	ine 22						. 8a		
If you checked	b	Subtract line 8a from line 7b. This is	your a	adjuste	d gros	ss income				► 8b		
any box under Standard	9	Standard deduction or itemized de	ducti	ions (fro	m Scl	hedule A) .		9				
Deduction, see instructions.	10	Qualified business income deduction	. Atta	ch Forn	1 8995	or Form 899	5-A	10				
see instructions.	11a	Add lines 9 and 10								. 11a		
	b	Taxable income. Subtract line 11a fr	rom li	ne 8b. lf	zero	or less, enter	-0			11b		
For Disclosure,	Privac	y Act, and Paperwork Reduction Act	Notic	ce, see	separ	rate instructi	ons.	Cat.	No. 11320B		Form 1040 (2019)	

Personal Income Tax- What is it?

(based on Tax Year 2020)



Adjusted Gross Income

minus

Subtractions from Adjusted Gross Income



Standard Deduction

\$6,250 for single filer, \$12,500 for married filer

Personal Exemptions

\$4,350 for you, your spouse, and any dependents

Other Subtractions

- Capital Gains Exclusion
- Social Security Exemption
- Interest income from U.S. bonds

plus

Additions to Adjusted Gross Income

Examples included: interest from VT state and local bonds, non-Vermont state and local bonds, bonus depreciation

equals

Vermont Taxable Income

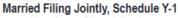


How to calculate tax liability

Vermont Taxable Income (VTI)

Multiplied by

Income tax rates at various brackets of income



Use if your filing status is:

Married Filing Jointly; Qualifying Widow(er); or Civil Union Filing Jointly

If VT Taxable Income is Over	But Not Over	VT Base Tax is	Plus	of the amount over
0	67,450	0.00	3.35%	0
67,450	75,000	2,260.00	6.60%	67,450
TAXABLE II	NCOME UND	ER \$75,000 U	SE THE TA	X TABLES
75,000	163,000	2,758.00	6.60%	75,000
163,000	248,350	8,566.00	7.60%	163,000
248,350	-	15,052.00	8.75%	248,350

Single Individuals, Schedule X

Use if your filing status is: Single

If VT Taxable Income is Over	But Not Over	VT Base Tax is	Plus	of the amount over
0	40,350	0.00	3.35%	0
40,350	75,000	1,352.00	6.60%	40,350
TAXABLE II	NCOME UND	ER \$75,000 U	SE THE TA	X TABLES
75,000	97,800	3,639.00	6.60%	75,000
97,800	204,000	5,143.00	7.60%	97,800
204,000	-	13,215.00	8.75%	204,000

Equals



How to calculate final tax liability

Initial Vermont Tax Liability (Before Credits)

minus

Non-Refundable Credits

Credit for child and dependent care expenses, credit for elderly and disabled, investment tax credit, Charitable Tax Credit

minus

Refundable Credits

Earned Income Tax Credit

Multiplied by

Vermont Apportionment Percentage

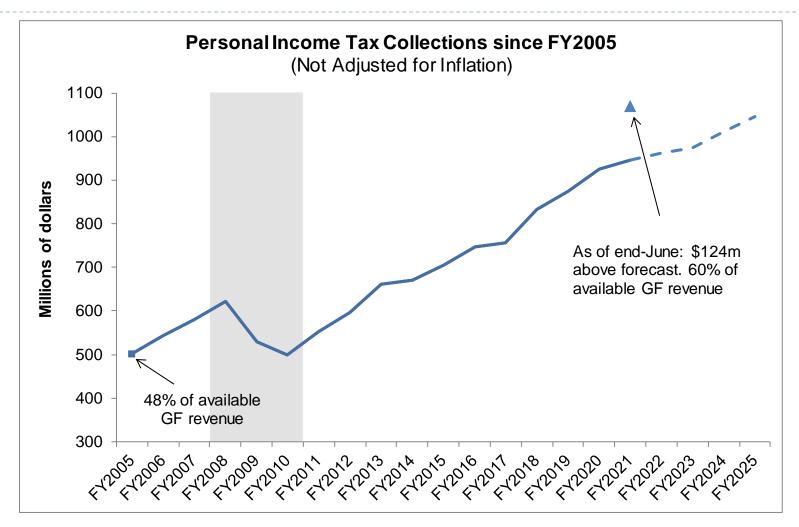
The percentage of income based in Vermont

Equals

Final Vermont Tax Liability (or Refund)



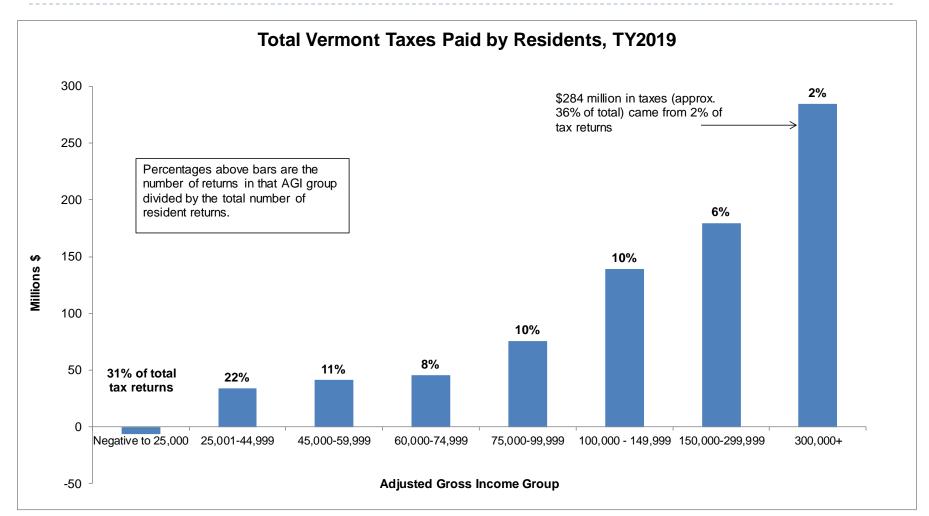
Personal Income Tax: How much do we collect?



Source: Legislative Economist's January 2021 Forecast



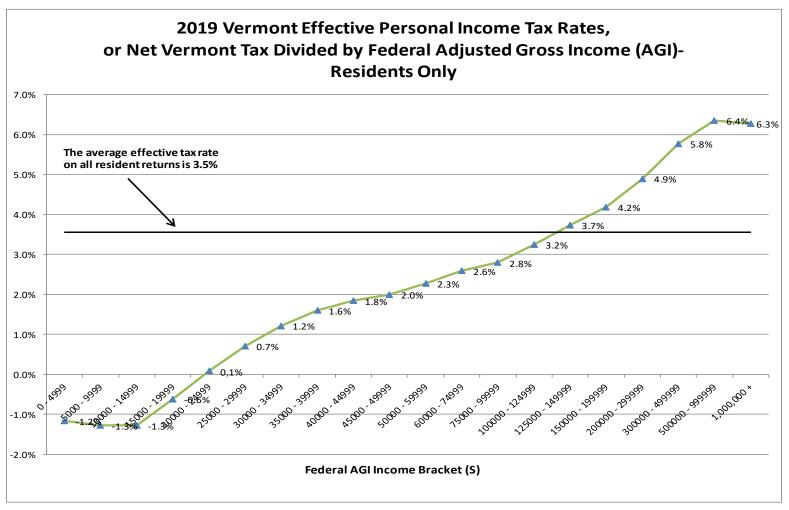
Personal Income Tax- Who Pays?



Source: Department of Taxes



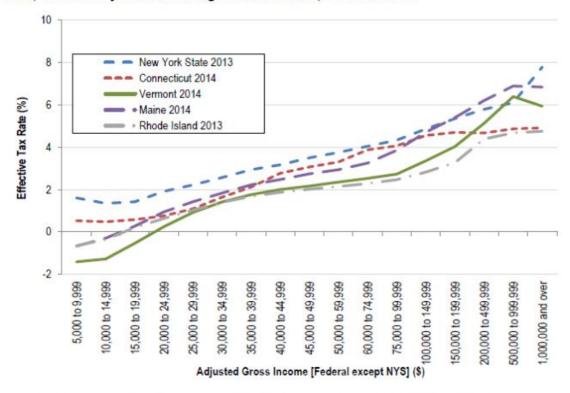
Personal Income Tax- Who Pays?



Source: Department of Taxes

Personal Income Tax: Who Pays?

Figure 20. Effective Rate Comparison by AGI Level for the New England States and New York, Tax Liability as a Percentage of Federal AGI, 2013 and 2014



Note: The Effective Income Tax Rate is calculated using Federal AGI, except in New York, which uses state AGI in its calculation. New Hampshire does not tax income, and data was unavailable for Massachusetts.

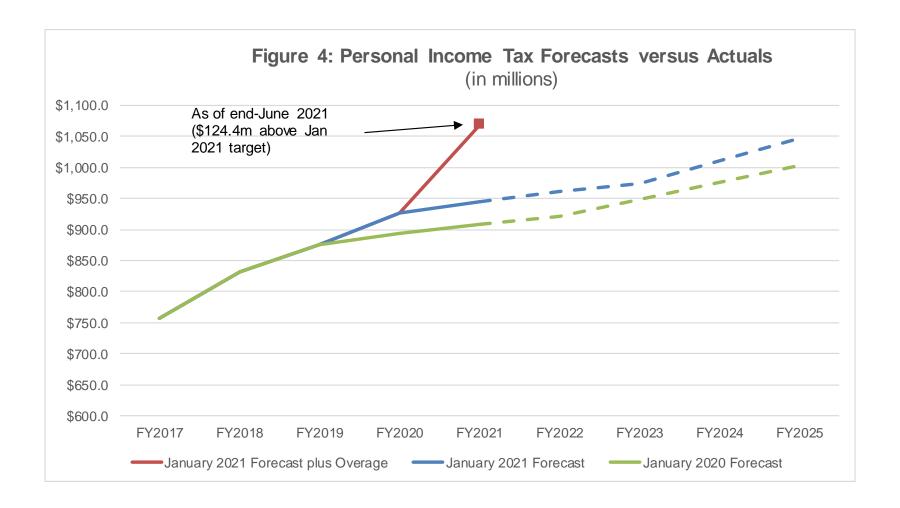
Source: JFO 10-Year Tax Study, 2017

Personal Income Tax- What's New?

- Act 11 of 2018 Special Session
 - Major overhaul in Vermont Personal Income Tax system
 - Made the income tax system modestly more progressive
- COVID-19, and the related Federal fiscal stimulus has led to significant revenues in PIT
 - Estimated payments since March 2020 have smashed records
 - K-Shaped recovery- strong business income and capital income
 - Bonus unemployment in 2020 and 2021 likely also boosted withholding payments
 - People moving to Vermont and working remotely
 - Likely higher income taxpayers, but not enough data yet to show this has moved the needle.

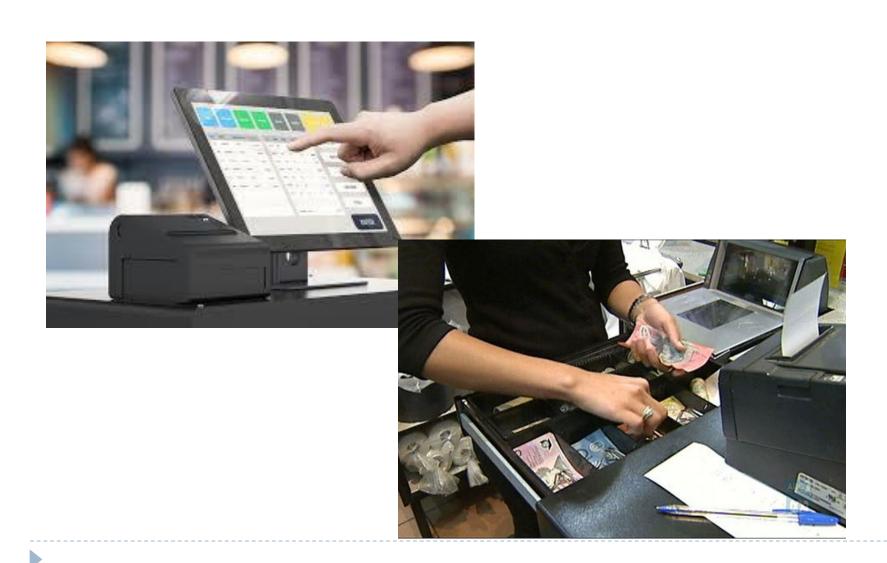


Personal Income Taxes and the Pandemic





Sales & Use Tax

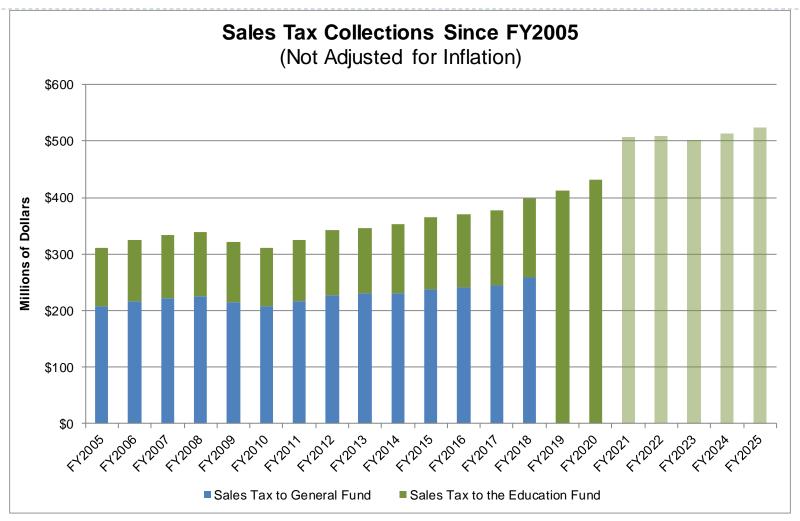


Sales and Use Tax- What is it?

- ▶ 6% on the retail sales of tangible personal property unless exempted by law.
- Destination based
 - Applied where the buyer takes possession of the item or where it was delivered.
- Does not apply to most services
- Revenues dedicated exclusively to the Education Fund beginning in FY2019
- Exemptions aplenty! (more on that later)



Sales & Use Tax: How much do we collect?



Source: Legislative Economist's January 2021 Forecast



Sales & Use Tax- Who pays it?

- Remitted by the retailer, final point of sale. Everyone pays but...
- Exemptions for groups and goods
 - Organizations who don't pay sales tax
 - \triangleright 501(c)(3) organizations (up to a certain amount of sales)
 - Federal, state, local governments
 - Purposes and goods exempted-usually to make it more progressive
 - Clothing
 - Groceries
 - Medical products
- Sales taxes (and most consumption-based taxes) considered to be regressive:
 - Lower-income residents pay higher percentage of income in sales taxes
 - They spend a higher proportion of their income on taxable goods

Sales & Use Tax- What's new?

Internet/Remote Sales

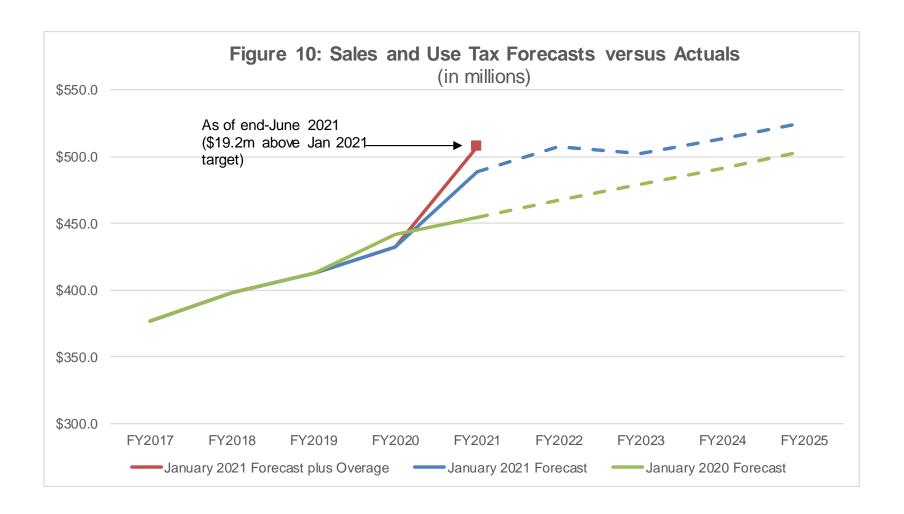
- Prior to June 2018, states could only collect sales tax if a vendor had a "nexus" in the state (Quill Decision)
- Supreme Court overruled Quill in June 2018: Wayfair Decision
 - States can now legally collect sales tax from remote sellers
- Act 46 of 2019: Marketplace Facilitators
 - Large "marketplace facilitators" (Amazon, Etsy, Ebay) are required to collect and remit sales tax on behalf of vendors on their platform.

COVID-19 impacts

- Goods consumption has exploded during the pandemic, in particular, ecommerce
- Federal fiscal stimulus led to record high levels of consumer disposable income, which was spent on durable goods, which are usually taxable
- ▶ \$507.6 million was collected in FY2021, which is \$75 million more than the previous fiscal year.
- Uncertainty remains- with reopening, will consumers continue to purchase goods or will the pivot back to services?



Sales Taxes and the Pandemic





Corporate Income Tax





Corporate Income Tax- What is it?

- Background: Types of Businesses
 - C-Corporation: Larger business, profits accrue to corporation, 100+ shareholders
 - Pass-throughs: Profits get "passed through" to owners who pay tax on their own personal income taxes
 - S-Corporations and LLCs: Usually smaller businesses, profits dispersed to smaller number of shareholders, limited liability
 - > Sole Proprietors: Profits go to a single owner on their income
- Corporate Income Tax is a tax on the net income of a C-Corporation
 - Most businesses do not pay the corporate income tax because they are pass-throughs!
- What about multi-state businesses?
 - Taxable income determined by formula using property, payroll and sales
 - Vermont requires unitary combined reporting
 - Two types of business:
 - \Box Unitary Combined: Those that file a VT return but are part of a larger company (13% of returns).
 - □ Not Combined: Those businesses that are not part of a larger company (87% of returns)

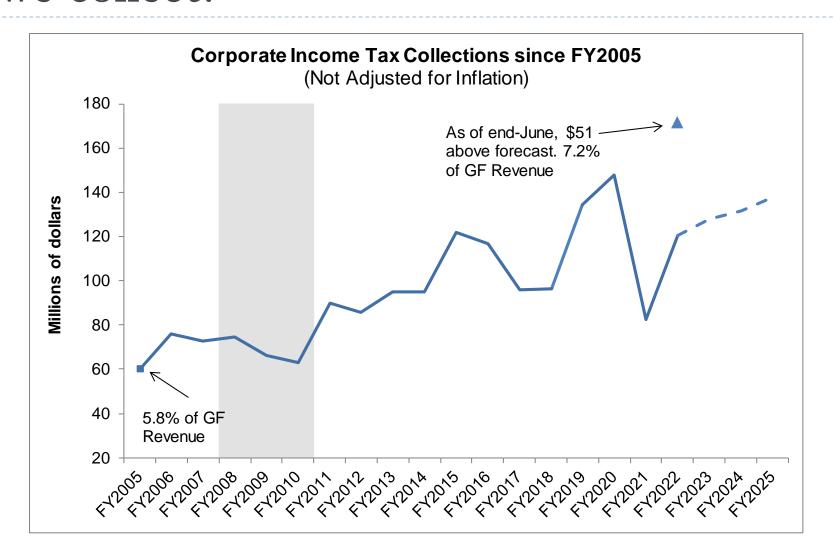


Corporate Income Tax – What is it?

Corporate Income Tax Table									
Taxable Income Bracket	Tax Rate								
\$3,751 up to \$10,000	6.00%								
\$10,000 up to \$25,000	7.00%								
\$25,000 and over	8.50%								



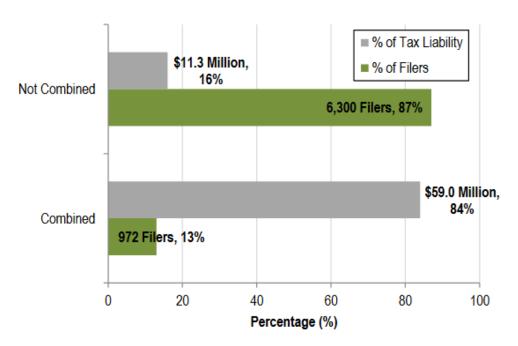
Corporate Income Tax- How much do we collect?



Corporate Income Tax – Who pays it?

- Only C Corporations
- Most revenue comes from a minority of larger unitary combined returns

Figure 22. Corporate Income Tax by Type of Return: Unitary Combined or Not Combined, Tax Year 2014





Corporate Income Tax- Who pays?

In 2019:

- ▶ 13,236 corporate tax filers
- ➤ ~3,000 had positive taxable income and therefore, paid corporate income tax from the brackets

Minimum Tax Payers by Gross Receipts

	# Minimum Ta	ax Payers	% of All Payers Who Pay Min Tax			
Gross Receipts Range	2018	2019	2018	2019		
Less than \$100,000	7,246	7,345	91.3%	90.4%		
\$100,000-\$200,000	654	621	73.3%	70.6%		
\$200,000-\$500,000	778	718	64.6%	59.6%		
\$500,000-\$1 million	468	457	55.3%	53.1%		
\$1 million-\$1.5 million	181	182	47.6%	45.7%		
\$1.5 million to \$3 million	314	283	49.4%	46.5%		
\$3 million to \$5 million	154	150	43.1%	41.8%		
\$5 million+	309	288	42.3%	40.6%		
TOTAL	10,104	10,044	77.8%	76.4%		

Source: VT Department of Taxes



Corporate Income Tax – What's New

Tax Cuts and Jobs Act of 2017

- Changed the rules around treatment of foreign profits which could lead to one-spikes in Corporate Taxable Income
- Vermont received a lot of foreign repatriated money in FY2018 through FY2020.

COVID-19 Impacts

- Corporate Tax revenues significantly beat their forecast in FY2021.
- Federal fiscal stimulus likely boosted corporate bottom lines
- Potential revenue bump from Vermont change to method of sourcing services to "Market Based-Sourcing"



Other major revenue sources

Meals and Rooms Tax

- > 9% on taxable meals and rented rooms, 10% on alcohol portion of meals
- ▶ \$143.5 million in FY21 (\$173 million in FY18!)
- Beginning FY20, 25% of revenues to EF, 69% to GF, 6% to the Clean Water Fund

Cigarette and Tobacco Products Tax

- ▶ \$3.08 per pack for cigarettes, 92% of wholesale price for other tobacco products
- 92% wholesale price tax added to e-cigarettes in 2019
- ▶ \$77.4 million in FY21
- Revenues dedicated the General Fund

Insurance Premiums Tax

- 2% per year on the gross amount of premiums written in Vermont
- Paid in lieu of corporate income tax
- ▶ \$60.3 million in FY21
- Revenues dedicated to GF



Other major revenue sources

TABLE 1A - STATE OF VERMONT LEGISLATIVE JOINT FISCAL OFFICE SOURCE GENERAL FUND REVENUE FORECAST UPDATE Consensus JFO and Administration Forecast - January 2021

SOURCE G-FUND

revenues are prior to all E-Fund allocations and other out-transfers; used for analytic and comparative purposes only	FY 2017 (Actuel)	% Change	FY 2018 (Actuel)	% Change	FY 2019 (Actual)	% Change	FY2020 (Actual)	% Change	FY2021 (Forecast)	% Change	FY2022 (Forecast)	% Change	FY2023 (Forecast)	% Change
REVENUE SOURCE														
Personal Income	\$756.5	1.3%	\$832.0	10.0%	\$875.4	5.2%	\$925.8	5.8%	\$945.4	2.1%	\$961.7	1.7%	\$973.3	1.2%
Sales & Use	\$376.7	1.6%	\$397.8	5.6%	\$412.5	3.7%	\$432.5	4.8%	\$488.4	12.9%	\$507.9	4.0%	\$502.4	-1.1%
Corporate	\$95.8	-18.1%	\$96.4	0.6%	\$134.2	39.3%	\$147.9	10.2%	\$82.4	-44.3%	\$120.6	46.4%	\$127.7	5.9%
Meals and Rooms	\$165.3	7.3%	\$173.2	4.8%	\$182.1	5.1%	\$163.6	-10.1%	\$126.4	-22.7%	\$166.4	31.6%	\$194.0	16.6%
Liquor	\$19.1	4.4%	\$19.8	3.6%	\$21.4	8.1%	\$21.6	0.8%	\$24.8	14.8%	\$26.9	8.5%	\$27.8	3.3%
Insurance	\$57.0	1.3%	\$57.5	1.0%	\$56.9	-1.2%	\$58.0	2.1%	\$59.2	2.0%	\$59.8	1.0%	\$60.2	0.7%
Telephone	\$5.7	80.6%	\$4.7	-16.8%	\$4.3	-8.8%	\$3.2	-26.4%	\$1.6	-49.8%	\$1.4	-12.5%	\$1.2	-14.3%
Beverage	\$6.9	2.9%	\$7.1	2.5%	\$7.6	6.9%	\$7.2	-5.3%	\$7.4	3.4%	\$7.6	2.7%	\$7.9	3.9%
Electric ²	\$0.0	NM	\$0.0	NM	\$0.0	NM	\$0.0	NM	\$0.0	NM	\$0.0	NM	\$0.0	NM
Estate	\$16.7	33.3%	\$22.9	37.6%	\$12.6	-44.9%	\$15.2	20.1%	\$32.3	112.9%	\$26.7	-17.3%	\$28.3	6.0%
Property	\$38.7	8.4%	\$40.9	5.6%	\$41.1	0.6%	\$42.3	2.9%	\$58.4	38.1%	\$62.3	6.7%	\$59.0	-5.3%
Bank	\$13.2	24.0%	\$13.1	-1.3%	\$12.5	-4.6%	\$12.1	-3.0%	\$12.6	4.1%	\$12.8	1.6%	\$12.7	-0.8%
Other Tax	\$2.2	18.0%	\$1.8	-15.2%	\$2.4	32.9%	\$0.4	-84.7%	\$0.4	-6.7%	\$0.3	-2.9%	\$0.4	5.9%
Total Tax Revenue	\$1553.7	1.3%	\$1667.2	7.3%	\$1763.0	5.7%	\$1829.7	3.8%	\$1839.3	0.5%	\$1954.4	6.3%	\$1994.9	2.1%
Business Licenses	\$1.2	16.8%	\$1.2	-2.9%	\$1.2	-1.0%	\$1.1	-4.5%	\$1.2	5.0%	\$1.3	8.3%	\$1.4	7.7%
Fees	\$48.5	110.8%	\$47.1	-2.9%	\$47.0	-0.2%	\$44.7	-4.7%	\$42.4	-5.2%	\$43.6	2.8%	\$44.8	2.8%
Services	\$3.0	7.9%	\$2.9	-4.2%	\$3.4	16.4%	\$2.4	-27.1%	\$2.4	-1.9%	\$2.3	-4.2%	\$2.4	4.3%
Fines	\$4.4	21.0%	\$3.5	-19.8%	\$3.3	-5.6%	\$4.8	44.3%	\$3.1	-35.8%	\$3.3	6.5%	\$3.5	6.1%
Interest	\$1.5	111.5%	\$2.8	80.1%	\$5.0	79.1%	\$4.1	-18.0%	\$1.8	-56.0%	\$1.7	-6.7%	\$2.2	32.1%
Special Assessments	\$0.0	NM	\$0.0	NM	\$0.0	NM	\$0.0	NM	\$0.0	NM	\$0.0	NM	\$0.0	NM
Lottery	\$25.5	-3.3%	\$27.1	6.4%	\$29.5	8.6%	\$26.8	-9.0%	\$29.3	9.2%	\$30.9	5.5%	\$31.8	2.9%
All Other®	\$2.9	128.5%	\$2.4	-18.8%	\$4.6	92.7%	\$0.7	-83.6%	\$0.9	13.7%	\$1.0	17.6%	\$1.1	10.0%
Total Other Revenue	\$87.1	47.9%	\$87.0	-0.1%	\$93.9	7.9%	\$84.8	-9.7%	\$81.1	-4.4%	\$84.1	3.7%	\$87.2	3.7%
Healthcare Revenue *	\$276.6	2.8%	\$275.6	-0.4%	\$276.3	0.2%	\$284.7	3.0%	\$284.3	-0.1%	\$285.3	0.3%	\$286.0	0.2%
TOTAL GENERAL FUND	\$1917.4	3.0%	\$2029.8	5.9%	\$2133.2	5.1%	\$2199.2	3.1%	\$2204.6	0.2%	\$2323.8	5.4%	\$2368.0	1.9%

Source: Legislative Economist's Forecast, January 2021



Hot Topic Revenue Ideas

Cannabis excise tax

▶ JFO Fiscal Note from 2020

Table 1: S.54 Total Revenues (in millions)											
14% Excise Tax plus 6% Sales Tax plus state licensing fee revenue											
	FY21	FY22	FY23	FY24	FY25						
Low	\$0.0	\$0.5	\$5.3	\$10.3	\$13.3						
Mid	\$0.0	\$0.5	\$6.9	\$14.0	\$18.2						
High	\$0.0	\$0.5	\$9.0	\$18.7	\$24.2						

Notes: State fee revenue totals \$500,000 in FY22, and \$650,000 thereafter

Sports gambling

- No formal JFO estimate, but Administration budget proposal estimated \$2.5 million per year
- Formal study to Legislature due in October 2021



Hot Revenue Ideas

High income tax surcharges

- Generally, an AGI based surcharge that applies to any dollars over a certain amount.
- Preliminary estimates:
 - ▶ 3% tax rate on AGI over \$300,000: \$60 to \$70 million per year
 - ▶ 1.5% tax rate on AGI over \$150,000: \$30 to \$40 million per year
 - > 3% tax rate on AGI over \$500,000: \$40-50 million per year

Considerations:

- Personal income tax already quite top heavy
- Very progressive systems are more vulnerable to volatility.
- Only 2-3 states have income tax rates that would be near these levels (Hawaii, California, Oregon).
- Fiscal and monetary policy play a huge impact on these groups



Tax Expenditures



VERMONT

Tax Expenditures

2021 Biennial Report

January 15, 2021 Pursuant to 32 V.S.A § 312.

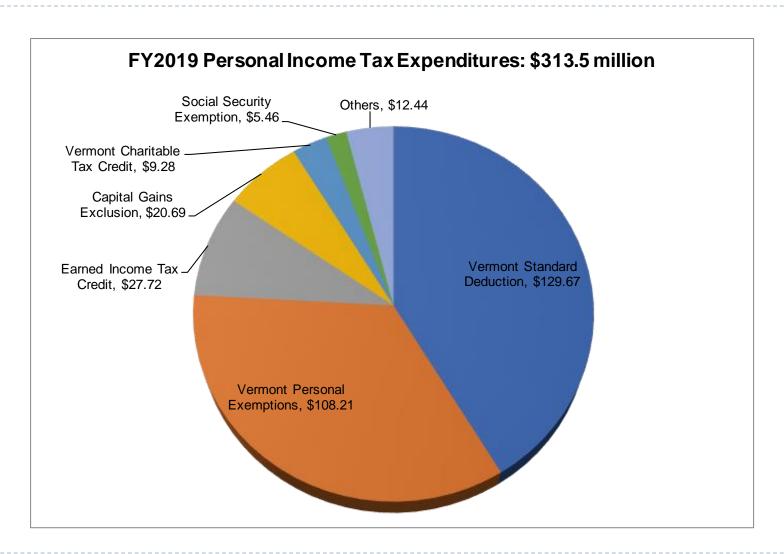


Tax Expenditures

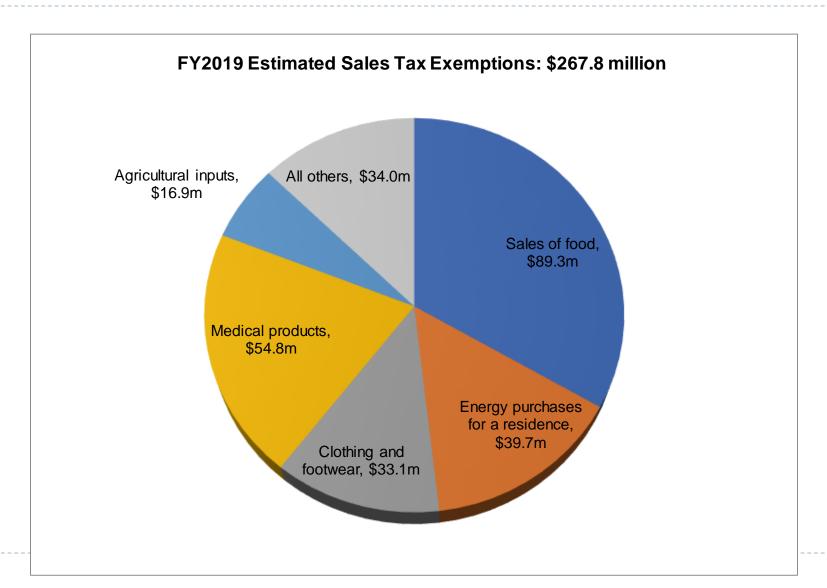
- Statutory provisions which reduce the amount of revenue that would otherwise be collected
- Done to encourage a particular activity or limit the amount of taxes collected from certain groups
- Examples:
 - Tax credits and deductions
 - ► Earned Income Tax Credit, Social Security deduction
 - Exemptions from the tax base
 - ▶ Clothing exempt from the sales tax
- JFO publishes a report every two years



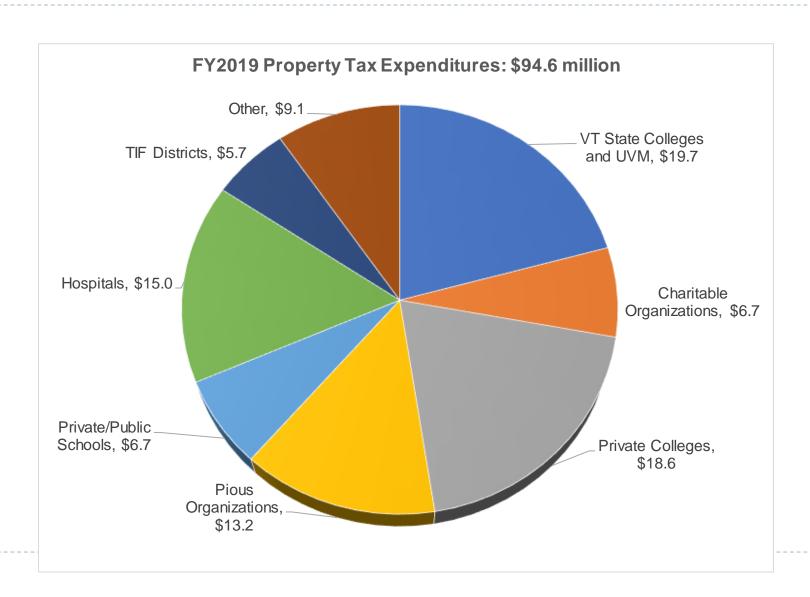
Personal Income Tax- Tax Expenditures



Sales and Use Tax Expenditures



Property Tax Expenditures



Resources

- JFO Website, Revenue/Tax Page
 - Revenue Forecasts for information on revenues:
 https://ljfo.vermont.gov/subjects/revenue-and-tax/state-forecasts
 - Ten Year Tax Studies for overview of whole system: https://ljfo.vermont.gov/subjects/revenue-and-tax/ten-year-tax-studies
 - Tax Expenditure Reports: https://ljfo.vermont.gov/subjects/revenue-and-tax/tax-expenditure-reports
- ► Fiscal Facts: https://ljfo.vermont.gov/publications/fiscal-facts
- Department of Taxes, Research and Reports: https://tax.vermont.gov/research-and-reports
- Contact me with any questions!
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 - **802-828-5768**

