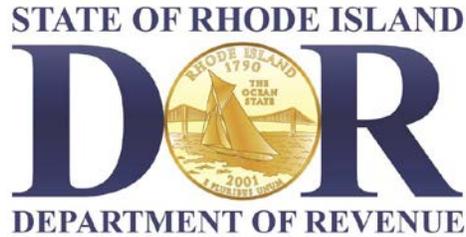


STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
GOVERNOR GINA M. RAIMONDO



Office of Revenue Analysis

State of Rhode Island Revenue Assessment Report  
Monthly and Year-to-Date FY 2016 as of December 2015

The monthly revenue assessment report compares adjusted revenues, on a monthly and fiscal year-to-date basis, to the Office of Revenue Analysis' monthly and fiscal year-to-date estimate of expected revenues based on the current fiscal year revenue estimate. It should be noted that the fiscal year revenue estimate will vary over the course of the fiscal year as the Revenue Estimating Conference (REC) (see Rhode Island General Laws § 35-16-1 et seq.) convenes and modifies the fiscal year revenue estimates as enacted by the General Assembly.

*The purpose of the Revenue Assessment Report is to give readers a sense of how the state's general revenues compare to those that might be expected if the official revenue estimate was being met in a predictable way. Caution should be exercised when interpreting this report as actual revenues may vary significantly from historical patterns. In addition, it is important for the reader to understand that enacted and adopted revenue estimates are made on an accrual basis, not a cash basis. Revenue accruals are not determined until at least one month after the fiscal year-end in June. Thus, even if the assessment of actual fiscal year-to-date revenues trail the fiscal year-to-date revenue estimates, it is possible for the fiscal year-end accrual to make up any shortfall.*

It should be noted that the November 2015 Revenue Assessment Report was the first monthly report that compared adjusted revenues to the revenue estimates adopted at the November 2015 Revenue Estimating Conference. The Revenue Assessment Reports for the months of July through October compared adjusted revenues to the revenue estimates enacted in the FY 2016 budget. The principals at the November 2015 Revenue Estimating Conference revised FY 2016 total general revenues up by \$52,426,535 spread across all general revenue items.

The November 2015 Revenue Estimating Conference incorporated changes to Rhode Island law enacted in the FY 2016 Budget in the adopted revenue estimates that are the basis of this report.

Details on the law changes that impact FY 2016 general revenues are contained in the Appendix to this report.

### **Estimate of Revised FY 2016 Revenues Adopted at the November 2015 REC**

In order to determine the expected monthly and fiscal year-to-date revenue estimates based on the revised revenue estimates adopted at the November 2015 Revenue Estimating Conference, the Office of Revenue Analysis (ORA) first calculates the average percentage of total adjusted revenues that occurred in a given month over the previous five fiscal years for each revenue item. For estate and transfer taxes the previous ten fiscal years are used. For monthly estimates, these percentages are applied to the enacted FY 2016 revenue estimate for each revenue item. For the fiscal year-to-date estimates, the monthly percentages are summed and then applied to the enacted FY 2016 revenue estimate for each revenue item. This methodology is used for all revenue items except personal income tax final payments, personal income tax withholding payments, personal income tax refunds and adjustments revenues, business corporations tax revenues, sales and use tax revenues, motor vehicle license and registration fees, cigarette excise tax revenues and estate and transfer tax revenues. For these eight revenue items, the monthly percentage, or the sum of the monthly percentages, will be applied to the FY 2016 modified cash revenue flows as estimated by ORA. In the case of other miscellaneous revenues, the actual fiscal year-to-date revenues are used in place of an estimate due to the discrete and unpredictable nature in the timing of these receipts.

Table A provides the rounded five-year or ten-year average percentages used to determine expected monthly and fiscal year-to-date revenues for November. It should be noted that ORA has made adjustments to these percentages based on the estimated flow of revenues that result from the changes in law enacted by the 2015 General Assembly and included as part of the revised FY 2016 revenue estimates adopted at the November 2015 REC.

**Table A. Aggregate Revenue Allocation Percentages by Month and Fiscal Year-to-Date**

Revenue Item	<u>Percent Received</u>		Revenue Item	<u>Percent Received</u>	
	December	YTD		December	YTD
Personal Income Taxes			Motor Vehicles Fees	3.5 %	37.3 %
Estimated Payments	11.4 %	39.3 %	Motor Carrier Fuel Use	9.4 %	58.6 %
Final Payments	1.8 %	13.2 %	Cigarettes Taxes	8.5 %	52.4 %
Withholding Payments	10.0 %	48.6 %	Alcohol Excise Taxes	8.6 %	52.1 %
Refunds/Adjustments	1.7 %	13.1 %	Estate and Transfer	11.1 %	51.9 %
Business Corporations Taxes	5.5 %	22.5 %	Racing and Athletics	7.4 %	48.7 %
Utilities Gross Earnings Taxes	0.3 %	1.7 %	Realty Transfer	8.0 %	53.4 %
Financial Institutions Taxes	17.1 %	25.0 %	Departmental Receipts	7.0 %	42.3 %
Insurance Co. Gross Premiums	0.3 %	1.3 %	Lottery Transfer	7.9 %	41.0 %
Bank Deposits	4.6 %	6.3 %	Other Misc. Revenues	n/a	n/a
Health Care Provider Assessment	8.2 %	49.7 %	Unclaimed Property	0.0 %	0.0 %
Sales and Use Taxes †	7.7 %	51.8 %			

† Percentages are a weighted average of the monthly and fiscal year-to-date percentages for the “base” sales and use tax adjusted revenues and the monthly and fiscal year-to-date percentages calculated by ORA for both foregone sales and use tax revenues projected from the exemption of heating fuels, electricity and natural gas from the sales and use tax and enhanced sales and use tax revenues projected from the cigarette excise tax rate increase and the expansion of the sales and use tax to unlicensed rentals, room resellers and vacation home rentals. See the body of the report for a more detailed discussion of this methodology.

The health care provider assessment consists only of an assessment on nursing homes. Motor vehicle fees are comprised only of fees paid for operators’ licenses and motor vehicle registrations. Racing and athletics taxes consist of a tax on simulcast wagering. The “Percent Received” for monthly and year-to-date departmental receipts is calculated excluding hospital licensing fee revenues, which are large, generally made only once in the fiscal year, and not always at the same time each fiscal year. Finally, the lottery transfer does not begin in a given fiscal year until August, while the unclaimed property transfer occurs only in June of each fiscal year.

As of August 2014, Rhode Island remains out-of-compliance with the Streamlined Sales and Use Tax Agreement (SSUTA). A potential impact of this non-compliance is that the State will no longer receive voluntary remittances of sales and use tax revenues from remote sellers that are parties to the SSUTA. To date, these voluntary remittances have continued to be made and the FY 2016 enacted budget includes continued receipt of voluntary sales and use tax payments. The FY 2016 enacted sales and use tax revenue estimate incorporates an enhancement derived from the increase of the cigarette excise tax rate to \$3.75 per pack of 20 cigarettes. In addition, the application of the state’s sales and use tax on rental properties was expanded, while electricity, heating fuel, and natural gas were exempted for commercial users. ORA has taken into account

these anticipated changes in sales and use tax revenues when determining the average percentages used to calculate expected FY 2016 sales and use tax revenues.

Due to the unusual characteristics of the enacted legislative changes for personal income tax final payments, personal income tax refunds and adjustments, business corporations tax, and estate and transfer tax revenues, ORA had to adjust the revenue bases against which FY 2016 adjusted revenues would be assessed for these revenue items. Specifically, significant impacts on revenue will be realized through the accrual component of these revenue items and thus not recorded until the end of the fiscal year. ORA will use modified cash revenue flows for expected FY 2016 revenues to gauge the sufficiency of adjusted FY 2016 revenues in meeting estimated revenues. To do otherwise would result in the understatement of expected FY 2016 revenues on a monthly and fiscal year-to-date basis relative to actual FY 2016 adjusted revenues on the same basis. The footnotes in Table B detail the breakdown of cash receipts and accruals for each of these revenue items and indicate the modified cash revenue flows against which FY 2016 adjusted revenues will be assessed.

The revised FY 2016 estimates by revenue item as adopted at the November 2015 Revenue Estimating Conference are as follows:

<b>Table B. Revised FY 2016 Revenue Estimates by Major Revenue Item</b>			
<b>Revenue Item</b>	<b>Nov. 2015 Revised FY 2016 Estimate</b>	<b>Revenue Item</b>	<b>Nov. 2015 Revised FY 2016 Estimate</b>
Personal Income Taxes		Motor Vehicles	\$ 36,200,000
Estimated Payments	\$ 226,600,000	Motor Carrier Fuel	500,000
Final Payments ‡	180,800,00	Cigarettes Taxes	142,100,000
Withholding Payments	1,086,000,000	Alcohol Excise Taxes	19,000,000
Refunds/Adjustments †	(276,200,000)	Estate and Transfer *	23,000,000
Business Corporations Taxes ^	153,500,000	Racing and Athletics	1,100,000
Public Utilities Gross Earnings	104,000,000	Realty Transfer	10,000,000
Financial Institutions Taxes	17,700,000	Departmental Receipts ‡	356,700,000
Insurance Co. Gross Premiums	122,400,000	Lottery	356,900,000
Bank Deposits	2,300,000	Other Misc. Revenues	783,000
Health Care Provider Assessment	44,000,000	Unclaimed Property	10,100,000
Sales and Use Taxes	981,000,000		
		<b>Total General Revenues **</b>	<b>\$ 3,596,183,000</b>
<p>‡ Personal income tax final payments revenues estimate includes an estimated revenue accrual of \$(9,357,863) from the exemption of taxable Social Security benefits for eligible taxpayers. The estimated accrual will not impact FY 2016 revenues until the end of the fiscal year. As a result, ORA will assess adjusted FY 2016 revenues against a “base” FY 2016 revenue estimate of \$190,157,863 instead of the \$180,800,000 FY 2016 enacted estimate.</p> <p>† Personal income tax refunds and adjustments revenues estimate includes an estimated revenue accrual of \$(3,067,512) from the enhanced Rhode Island earned income tax credit. The realization of this revenue accrual will not occur until the end of FY 2016. As a result, ORA will assess adjusted FY 2016 personal income tax refunds and adjustments revenues against a “base” FY 2016 revenue estimate of \$(273,132,488), instead of the \$(276,200,000) FY 2016 enacted estimate.</p> <p>^ Business corporations tax revenues estimate of \$153,500,000 includes an estimated revenue accrual from the reduction of the minimum business corporations tax of \$(1,620,000). As a result, ORA will assess adjusted FY 2016 revenues against a “base” FY 2016 revenue estimate of \$155,120,000, instead of the \$153,500,000 FY 2016 enacted estimate.</p> <p>* Estate and transfer tax revenues estimate of \$23,000,000 includes an estimated accrual impact of \$(4,331,434) to account for the filing behavior of decedents who die on or after January 1, 2015. The estimated accrual will not affect FY 2016 revenues until the end of the fiscal year. As a result, ORA will assess adjusted FY 2016 revenues against a “base” FY 2016 revenue estimate of \$27,331,434, instead of the \$23,000,000 FY 2016 enacted estimate.</p> <p>‡ Departmental Receipts figure includes estimated hospital licensing fee revenues of \$169,050,449.</p> <p>** Total general revenues estimate includes the personal income tax net accrual of \$(2,300,000).</p>			

The revised FY 2016 adopted estimate for sales and use taxes is \$981.0 million. ORA estimated that this figure is comprised of \$997.6 million of “base” sales and use tax revenues. The calculation of “base” sales and use tax revenues attempts to determine recurring sales and use tax revenues in the absence of current legislative changes. “Base” sales and use tax revenues controls for the \$24.4 million of foregone sales and use tax revenues included in the adopted FY 2016 budget for the exemption of heating fuels, electricity and natural gas for all purposes; the \$7.1 million of new sales and use tax revenues resulting from the expansion of the state sales and use tax to short term rental properties previously exempt; and the \$656,228 in sales and use tax revenues due to the increase in the cigarette excise tax rate. ORA adjusted the methodology for determining the percentages used to calculate revised FY 2016 enacted revenues as adopted at the November 2015 Revenue Estimating Conference to incorporate the timing of these changes.

It should be noted that the principals of the November 2015 REC reclassified the foregone revenues from the deferred reissuance of motor vehicle license plates to July 2016 as departmental receipts. As a result, motor vehicle operator license and registration fees are no longer adjusted to reflect this change to revenues.

### **Results for FY 2016 through December**

The table, *Year-to-Date Estimate to Actual*, gives the results for FY 2016 through December. As is apparent from the table, the Department of Revenue finds that fiscal year-to-date adjusted total general revenues through December lead the revised FY 2016 adopted total tax revenues through December by \$31.4 million or 2.1 percent. In total taxes, the fiscal year-to-date adjusted revenues through December are greater than the revised FY 2016 adopted total tax revenues through December by \$31.6 million or 2.4 percent. For departmental receipts, the difference between the fiscal year-to-date adjusted revenues through December and the revised FY 2016 adopted departmental receipts through December is \$(2.3 million) or -3.0 percent. For other general revenue sources, fiscal year-to-date adjusted revenues through December exceed the revised FY 2016 adopted other general revenue sources revenues through December by \$2.2 million or 1.5 percent.

Seven revenue items have fiscal year-to-date adjusted revenues through December that exceed the revised FY 2016 adopted revenues by \$1.0 million or more.

- Personal income tax adjusted revenues for FY 2016 through December are \$13.5 million or 2.2 percent more than the year-to-date revised FY 2016 adopted personal income tax revenues of \$606.6 million. Adjusted personal income tax refunds and adjustments revenues for FY 2016 through December are \$16.0 million or 44.8 percent less than the revised FY 2016 through December refunds and adjustments revenues estimate of \$(35.8 million). FY 2016 year-to-date adjusted refunds and adjustments revenues include a positive adjustment of \$2.0 million for revenues that were transferred from business corporations tax to personal income tax in October 2015 due to the incorrect recording of payments. Personal income tax final payments adjusted revenues for FY 2016 through December are \$1.7 million or 6.6 percent greater than the revised FY 2016 through December final tax payments revenues estimate of \$25.2 million. Final payments adjusted revenues through December include \$3.2 million of reimbursed Historic Structures Tax

Credits (HSTCs). Further, estimated tax payments adjusted revenues for FY 2016 through December are \$3.0 million or 3.4 percent more than the revised FY 2016 through December estimated tax payments revenues estimate of \$89.0 million. Partially offsetting these increases are adjusted withholding tax revenues for FY 2016 through December which are \$7.3 million or 1.4 percent less than the revised FY 2016 through December withholding tax revenues estimate of \$528.3 million.

- Estate and transfer tax adjusted revenues for FY 2016 through December are \$5.2 million or 36.4 percent more than the year-to-date revised FY 2016 adopted estate and transfer tax revenues estimate of \$14.2 million.
- Business corporations tax adjusted revenues for FY 2016 through December are \$11.7 million or 33.5 percent more than the year-to-date revised FY 2016 adopted business corporations tax revenues estimate of \$34.9 million. Business corporations tax adjusted revenues through December include \$432,162 of reimbursed HSTCs.
- The lottery transfer adjusted revenues through December are \$2.2 million or 1.5 percent more than the year-to-date revised FY 2016 adopted lottery transfer revenues estimate of \$146.5 million.
- Motor vehicle operator's license and vehicle registration fees adjusted revenues through December are \$1.7 million or 12.9 percent more than the year-to-date revised FY 2016 adopted motor vehicle operator's license and vehicle registration fees revenues estimate of \$13.5 million. Adjusted motor vehicle fee revenues include \$1.1 million of operator's license and vehicle registration fees revenues that were improperly recorded in a prior fiscal year.
- Cigarette excise tax adjusted revenues through December are \$1.6 million or 2.1 percent more than the year-to-date revised FY 2016 adopted cigarette excise tax revenues estimate of \$74.5 million.
- Insurance companies' gross premiums tax adjusted revenues through December are \$1.1 million or 71.2 percent more than the year-to-date revised FY 2016 adopted insurance companies' gross premiums tax revenues estimate of \$1.5 million.

Fiscal year-to-date sales and use tax, realty transfer tax, and healthcare provider assessment adjusted revenues are each greater than the revised FY 2016 adopted revenues through December, but by less than \$1.0 million.

Two revenue items had adjusted revenues through December that fell short of the revised FY 2016 adopted revenue estimate through December by \$1.0 million or more.

- Financial institutions tax adjusted revenues through December are \$3.5 million or 78.3 percent less than the year-to-date revised FY 2016 adopted financial institutions tax revenues estimate of \$4.4 million.
- Departmental receipts adjusted revenues through December are \$2.3 million or 3.0 percent less than the year-to-date revised FY 2016 adopted departmental receipts revenues estimate of \$76.8 million. This variance is due primarily to the transfer of \$4.8 million of refunds written off by the Office of the Treasurer and the Division of Taxation to unclaimed

property in November 2015, offset in part by an increase of \$484,394 in indirect cost recoveries from the Treasurer's Office.

Fiscal year-to-date motor carrier fuel use tax, public utilities gross earnings tax, bank deposits tax, alcohol excise tax, and racing and athletics tax adjusted revenues through December are below the year-to-date revised FY 2016 adopted revenues, but by less than \$1.0 million each.

### **Results for the Month of December 2015**

The attached table, *Monthly Estimate to Actual*, gives the results for December 2015. As is apparent from the table, the Department of Revenue finds that December adjusted total general revenues exceed the revised FY 2016 adopted total general revenues estimate for December by \$7.1 million or 2.5 percent. In total taxes, December adjusted revenues are more than the revised FY 2016 adopted monthly revenues by \$6.7 million or 2.8 percent. For departmental receipts, December adjusted revenues fell short of the revised FY 2016 adopted monthly revenues estimate by \$(101,295) or -0.8 percent. For other general revenue sources, December adjusted revenues are greater than the revised FY 2016 adopted monthly revenues by \$409,086 or 1.5 percent.

Three revenue items had adjusted revenues in December that exceed the revised FY 2016 adopted monthly estimate by \$1.0 million or more.

- Business corporations tax adjusted revenues for December 2015 are \$9.1 million or 107.2 percent more than the revised FY 2016 adopted monthly revenues of \$8.5 million.
- Sales and use tax adjusted revenues for December are \$1.9 million or 2.5 percent more than the revised FY 2016 adopted monthly revenue estimate of \$75.8 million.
- Cigarette excise tax adjusted revenues for December are \$1.6 million or 13.4 percent more than the revised FY 2016 adopted monthly revenue estimate of \$12.1 million.
- Motor vehicle operator's license and vehicle registration fees adjusted revenues for December are \$1.2 million or 96.3 percent more than the revised FY 2016 adopted monthly revenue estimate of \$1.3 million. Most of this increase is attributable to \$1.1 million of operator's license and motor vehicle registration fee revenues that were improperly recorded in a prior fiscal year.

December adjusted revenues for lottery transfer, insurance companies' gross premiums tax, and racing and athletics tax, adjusted revenues are greater than the revised FY 2016 adopted monthly revenue estimates for December, but by less than \$1.0 million each.

On the negative side, two revenue items had adjusted revenues in December that fell short of the revised FY 2016 adopted monthly revenue estimate by \$1.0 million or more.

- Personal income tax adjusted revenues for December 2015 are \$3.5 million or 2.6 percent less than the revised FY 2016 adopted monthly revenues of \$132.6 million. Personal income tax final payments adjusted revenues for December 2015 are \$1.4 million or 40.4 percent less than the revised FY 2016 adopted monthly revenues estimate of \$3.4 million. December 2015 final payments adjusted revenues include \$209,249 of reimbursed HSTCs

Further, withholding tax payments adjusted revenues for December 2015 are \$6.9 million or 6.4 percent less than the revised FY 2016 adopted monthly withholding tax revenues estimate of \$108.1 million. Partially offsetting these increases is adjusted personal income tax refunds and adjustments revenues for December 2015 which are \$2.9 million or 61.8 percent less than the revised FY 2016 adopted monthly refunds and adjustments estimate of \$(4.7 million). Further, estimated tax payments adjusted revenues for December 2015 are \$1.8 million or 7.2 percent more than the revised FY 2016 adopted monthly revenues estimate of \$25.9 million.

- Financial institutions tax adjusted revenues for December are \$2.6 million or 84.5 percent less than the revised FY 2016 adopted monthly revenue estimate of \$3.0 million.

December adjusted revenues for estate and transfer tax, health care provider assessment, motor carrier fuel use tax, bank deposits tax, departmental receipts, alcohol excise tax, public utility gross earnings tax, and realty transfer tax adjusted revenues are below the revised FY 2016 adopted revenues for December, but by less than \$1.0 million each.



Marilyn S. McConaghy, Acting Director  
Department of Revenue  
January 26, 2015

**STATE OF RHODE ISLAND REVENUE ASSESSMENT REPORT**  
**Year-to-Date Estimate to Actual**

	YTD December Adjusted Revenues FY 2016		YTD December Estimate of Revised FY 2016 Revenues †		Difference	Variance
<b>Personal Income Tax</b>	\$ 620,091,578	a, b	\$ 606,635,527		\$ 13,456,051	2.2%
<b>General Business Taxes</b>						
Business Corporations	46,543,763	b	34,865,799		11,677,964	33.5%
Public Utilities Gross Earnings	1,680,641		1,806,739		(126,098)	-7.0%
Financial Institutions	963,991		4,433,651		(3,469,660)	-78.3%
Insurance Companies	2,626,393	a	1,533,663		1,092,730	71.2%
Bank Deposits	28,802		143,901		(115,099)	-80.0%
Health Care Provider Assessment	21,886,525		21,868,779		17,746	0.1%
<b>Excise Taxes</b>						
Sales and Use	509,039,502		508,207,894		831,608	0.2%
Motor Vehicle	15,235,872	c	13,494,728		1,741,144	12.9%
Motor Carrier Fuel Use	3,968		293,002		(289,034)	-98.6%
Cigarettes	76,123,815		74,525,165		1,598,650	2.1%
Alcohol	9,879,561		9,905,707		(26,146)	-0.3%
Controlled Substances						
<b>Other Taxes</b>						
Estate and Transfer	19,340,366		14,178,615		5,161,751	36.4%
Racing and Athletics	515,336		536,068		(20,732)	-3.9%
Realty Transfer	5,391,994	d	5,338,949		53,045	1.0%
<b>Total Taxes</b>	<b>\$ 1,329,352,107</b>		<b>\$ 1,297,768,188</b>		<b>\$ 31,583,919</b>	<b>2.4%</b>
<b>Departmental Receipts</b>	<b>\$ 74,455,641</b>	e, f	<b>\$ 76,788,790</b>		<b>\$ (2,333,149)</b>	<b>-3.0%</b>
<b>Taxes and Departmentals</b>	<b>\$ 1,403,807,748</b>		<b>\$ 1,374,556,978</b>		<b>\$ 29,250,770</b>	<b>2.1%</b>
<b>Other General Revenue Sources</b>						
Other Miscellaneous Revenues	123,316		123,316	+	-	0.0%
Lottery Transfer	148,690,532	g	146,491,389		2,199,143	1.5%
Unclaimed Property	-		-	+	-	n/a
<b>Total Other Sources</b>	<b>\$ 148,813,848</b>		<b>\$ 146,614,705</b>		<b>\$ 2,199,143</b>	<b>1.5%</b>
<b>Total General Revenues</b>	<b>\$ 1,552,621,596</b>		<b>\$ 1,521,171,683</b>		<b>\$ 31,449,913</b>	<b>2.1%</b>

<b>PIT Component</b>	YTD December Adj. Revenues		YTD December Revised Estimates		Difference	Variance
Estimated payments	\$ 92,057,953		\$ 89,028,908		\$ 3,029,045	3.4%
Final payments †	26,815,426		25,160,711		1,654,715	6.6%
Withholding †	520,982,764		528,254,608		(7,271,844)	-1.4%
Refunds and Adjustments †	(19,764,565)	a, b	(35,808,700)		16,044,136	-44.8%
<b>Total</b>	<b>\$ 620,091,578</b>		<b>\$ 606,635,527</b>		<b>\$ 13,456,051</b>	<b>2.2%</b>

† Revised FY 2016 adopted revenues for personal income tax final payments, withholding, and refunds and adjustments, sales and use taxes, business corporation taxes, motor vehicle registration and license fees, cigarette excise taxes and estate and transfer taxes are calculated using modified cash based revenue flows to align expected revenues with the actual realization of revenues.

+ Set equal to actual amounts received.

a Subtracts \$1,355,142 in personal income tax refunds and adjustment revenues and \$4,450,735 in insurance companies gross premium tax revenue for historic structure tax credit (HSTC) reimbursements that were recorded in July but accrued back to FY 2015.

b Includes an adjustment of \$2,049,477 in personal income tax refunds and adjustments revenues that were transferred from business corporations tax revenues in October 2015 and an adjustment of \$(2,049,477) in business corporations tax revenues that were transferred to personal income tax refunds and adjustments in October 2015 to properly record payments.

c Includes \$1,106,524 of operator's license and motor vehicle registration fees revenues that were improperly recorded in a prior fiscal year.

d Subtracts \$259,369 for funds sent to the Housing Resources Commission in January 2016 that were associated with December 2015 Realty Transfer taxes receipts.

e Deducts \$147.7 million for hospital licensing fees received year-to-date but accrued back to FY 2015.

f Includes the transfer in November 2015 of \$(4,843,938) of refunds written off by the Office of the Treasurer and the Division of Taxation to unclaimed property and an increase of \$484,394 in the Treasurer's indirect cost recovery account for the same.

g Deducts \$1,062,175 for the lottery transfer received in November that accrued back to FY 2015.

**STATE OF RHODE ISLAND REVENUE ASSESSMENT REPORT**  
**Monthly Estimate to Actual**

	December Adjusted Revenues FY 2016		December Estimate of Revised FY 2016 Revenues †	Difference	Variance
<b>Personal Income Tax</b>	\$ 129,119,074		\$ 132,621,164	\$ (3,502,090)	-2.6%
<b>General Business Taxes</b>					
Business Corporations	17,650,246		8,520,114	9,130,132	107.2%
Public Utilities Gross Earnings	189,150		275,839	(86,689)	-31.4%
Financial Institutions	469,719		3,034,177	(2,564,458)	-84.5%
Insurance Companies	494,949		357,392	137,557	38.5%
Bank Deposits	-		106,697	(106,697)	n/a
Health Care Provider Assessment	3,417,131		3,592,246	(175,115)	-4.9%
<b>Excise Taxes</b>					
Sales and Use	77,680,278		75,768,585	1,911,693	2.5%
Motor Vehicle	2,487,092	a	1,266,736	1,220,356	96.3%
Motor Carrier Fuel Use	(82,314)		46,813	(129,127)	-275.8%
Cigarettes	13,772,379		12,146,450	1,625,929	13.4%
Alcohol	1,538,231		1,637,943	(99,712)	-6.1%
Controlled Substances					
<b>Other Taxes</b>					
Estate and Transfer	2,479,388		3,039,112	(559,724)	-18.4%
Racing and Athletics	80,952		80,946	6	0.0%
Realty Transfer	749,902	b	804,352	(54,450)	-6.8%
<b>Total Taxes</b>	<b>\$ 250,046,177</b>		<b>\$ 243,298,567</b>	<b>\$ 6,747,610</b>	<b>2.8%</b>
<b>Departmental Receipts</b>	\$ 12,662,198	c	\$ 12,763,493	\$ (101,295)	-0.8%
<b>Taxes and Departmentals</b>	<b>\$ 262,708,375</b>		<b>\$ 256,062,060</b>	<b>\$ 6,646,315</b>	<b>2.6%</b>
<b>Other General Revenue Sources</b>					
Other Miscellaneous Revenues	11,352	+	11,352	-	0.0%
Lottery Transfer	28,507,040		28,097,954	409,086	1.5%
Unclaimed Property	-	+	-	-	n/a
<b>Total Other Sources</b>	<b>\$ 28,518,392</b>		<b>\$ 28,109,306</b>	<b>\$ 409,086</b>	<b>1.5%</b>
<b>Total General Revenues</b>	<b>\$ 291,226,767</b>		<b>\$ 284,171,366</b>	<b>\$ 7,055,401</b>	<b>2.5%</b>

PIT Component	December Adj. Revenues		December Revised Estimates	Difference	Variance
Estimated payments	\$ 27,700,858		\$ 25,851,922	\$ 1,848,936	7.2%
Final payments †	2,011,778		3,376,653	(1,364,874)	-40.4%
Withholding †	101,203,910		108,099,182	(6,895,271)	-6.4%
Refunds and Adjustments †	(1,797,473)		(4,706,593)	2,909,120	-61.8%
<b>Total</b>	<b>\$ 129,119,074</b>		<b>\$ 132,621,164</b>	<b>\$ (3,502,090)</b>	<b>-2.6%</b>

† Revised FY 2016 adopted revenues for personal income tax final payments, withholding, and refunds and adjustments, sales and use taxes, business corporation taxes, motor vehicle registration and license fees, cigarette excise taxes and estate and transfer taxes are calculated using modified cash based revenue flows to align expected revenues with the actual realization of revenues.

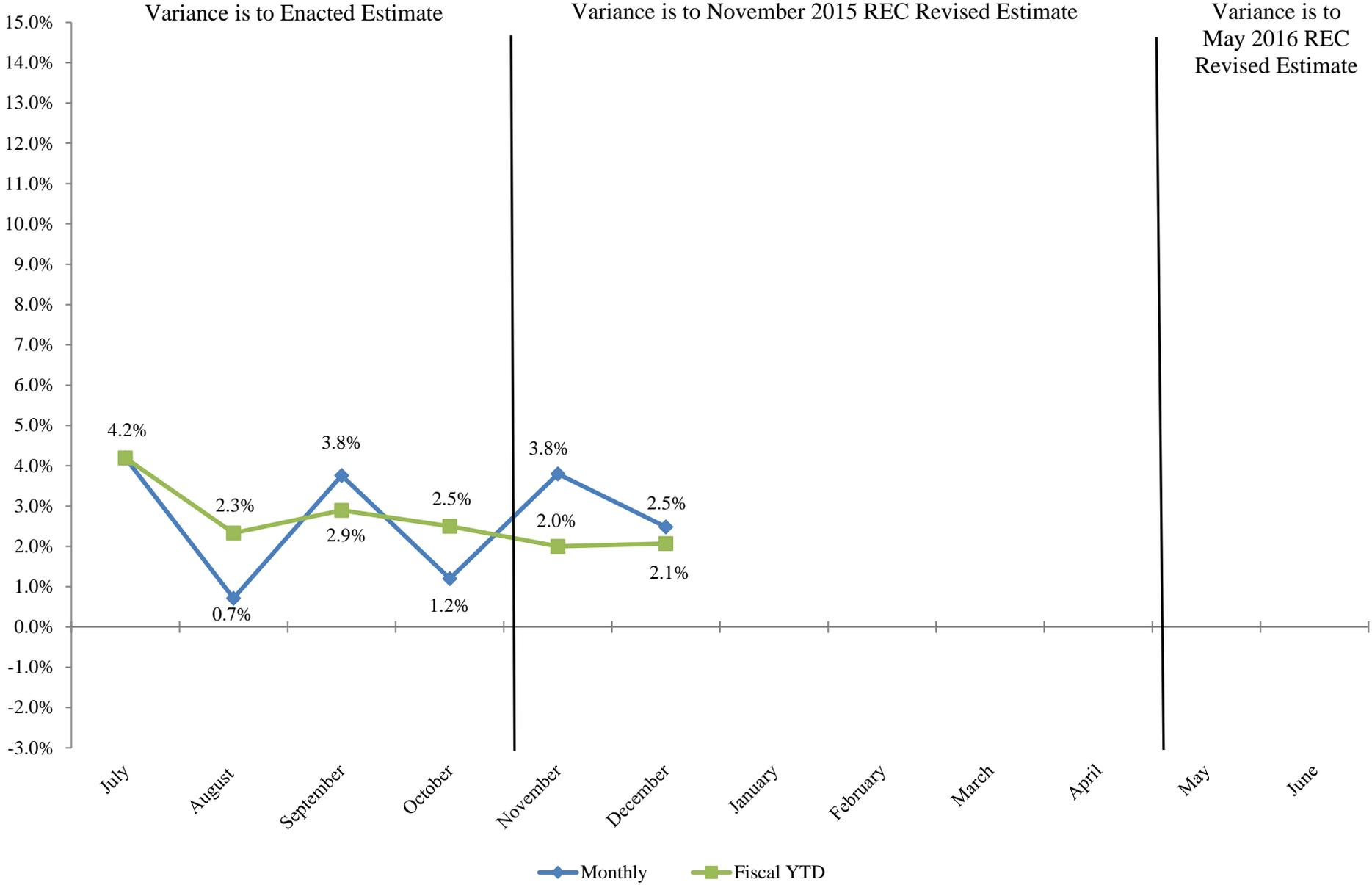
+ Set equal to actual amounts received.

a Includes \$1,106,524 of operator's license and motor vehicle registration fees revenues that were improperly recorded in a prior fiscal year.

b Subtracts \$259,369 for funds sent to the Housing Resources Commission in January 2016 that were associated with December 2015 Realty Transfer taxes receipts.

c Subtracts \$508,779 in departmental receipts for hospital licensing fees received in December.

# FY 2016 Variance of Adjusted Revenues to Estimate



## Appendix

### **Law Changes Enacted in the 2015 Session That Impact General Revenues**

In the 2015 session, the General Assembly enacted several changes to the state's general laws that impact general revenues. These changes can be categorized as follows: (1) changes that reclassify revenues that were previously considered to be general revenues to other funds; (2) changes that impact FY 2016 general revenues that will be realized through monthly revenue flows; and (3) changes that impact FY 2016 general revenues that will be realized through fiscal year end accruals. Those changes in state law that impact monthly revenue flows will generally exhibit seasonality in the receipt of the revenue. The Office of Revenue Analysis attempts to model the seasonality in such revenue flows in order to better align the expected receipt of revenues with the actual receipt of revenues. A more specific discussion of these items is provided in the paragraphs that follow.

#### ***Revenue Changes That Reclassify General Revenues***

In the 2014 session, the General Assembly passed legislation that reclassified 25.0 percent of all motor vehicle operator license and vehicle registration fees from general revenues to other funds effective July 1, 2015. The reclassification of these general revenue flows does not have any impact on expected FY 2016 enacted general revenues as these revenues are not included in either the adjusted revenue calculations contained in this report or the enacted FY 2016 general revenue estimates.

In addition, during the 2015 session, the General Assembly accepted the Governor's proposal to transfer the state's share and the statewide tourism district's share of the state 5.0 percent hotel tax from general revenues to the Rhode Island Commerce Corporation for a state level tourism promotion and business attraction campaign. The transfer of these revenues flows is in effect for all returns and payments received after June 30, 2015 regardless of when the underlying activity that generated the revenue occurred. The transfer of these hotel tax revenue flows from general revenues to the Rhode Island Commerce Corporation will have no impact on expected FY 2016 enacted general revenues as these revenues are not included in either the adjusted revenue calculations contained in this report or the enacted FY 2016 general revenue estimates.

#### ***Revenue Changes That Will Be Realized Through Monthly Revenue Flows<sup>1</sup>***

In the 2015 session, the General Assembly enacted legislation to fully exempt the sale of electricity, heating fuel, and natural gas for non-manufacturing commercial use from the state's

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<sup>1</sup> The 2015 General Assembly made permanent, effective July 1, 2015, the increased excise taxes on beer and malt, still wine, and high proof spirits and the exemption of all wine and spirits from the sales and use tax that were passed initially in the 2013 session of the General Assembly. Originally, the increased excise taxes on beer and malt, still wine, and high proof spirits and the sales and use tax exemption for the sale of wine and spirits by holders of Class A liquor licenses were to expire after June 30, 2015. The elimination of the sunset provision for these changes will have no impact on the assessment of the state's adjusted general revenues versus the expected general revenues as these

7.0 percent sales and use tax effective July 1, 2015. This enactment was a modification of the Governor's proposal to phase-in this exemption over a five year period beginning on July 1, 2015. Previously, the sales and use tax exemption for electricity, heating fuel, and natural gas only applied to consumption by occupants of residential premises or if it was used in the manufacturing process. The expected decrease in FY 2016 sales and use tax revenues from the exemption will generally be realized in the August 2015 to June 2016 period with a greater impact for electricity in August, September, and February. For heating fuel and natural gas the greatest impacts are in December through April.

The 2015 General Assembly concurred with the Governor's recommendation to extend the sales and use tax to the unlicensed rental of lodging via on-line hosting platforms, the resale of rental accommodations by on-line travel companies, and the rental of vacation homes for less than one consecutive month by owners of such properties.<sup>2</sup> The effective date of the application of the 7.0 percent sales and use tax to these types of rentals is July 1, 2015. The expected increase in sales and use tax revenues from the expansion of the sales and use tax to unlicensed rentals, the resale of lodging accommodations, and the rental of vacation homes is expected to be realized in the August 2015 to June 2016 period.<sup>3</sup> The greatest impacts from these changes are generally expected in July through September and May through June.

The 2015 General Assembly also approved the Governor's proposal to increase the cigarette excise tax rate by 25 cents per pack of 20 cigarettes from \$3.50 to \$3.75 effective August 1, 2015. The increased cigarette excise tax impacts both sales and use tax and cigarettes tax revenues. The expected increase in these two revenue sources from this change will be realized primarily in the months of September 2015 through June of 2016. The distribution of the impact of this revenue change is similar to that of sales and use taxes in general.

### ***Revenue Changes That Will Be Realized Through Fiscal Year End Accruals***

The 2015 General Assembly enacted legislation that impacts FY 2016 general revenues primarily through the fiscal year end accrual process. The legislation enacted during the 2015 session impacts the personal income tax, the business corporation tax, and the estate and transfer tax. The effective date of the legislation is January 1, 2016.

With respect to the personal income tax, the 2015 General Assembly enacted legislation that restructured the state's earned income credit (EIC). For tax years beginning on or after January 1, 2016, the state EIC will be equal to 12.5 percent of the federal EIC claimed by a taxpayer with the amount of the state EIC greater than the taxpayer's state personal income tax liability being fully

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revenue changes are already incorporated in the Office of Revenue Analysis' adjusted revenue calculations and included in the enacted FY 2016 general revenues based on prior enactments.

<sup>2</sup> The state's 5.0 percent hotel tax is also applied to unlicensed rentals and the resale of lodging accommodations. The local 1.0 percent occupancy tax is applied to these types of rentals as well as the rental of vacation homes. Neither the state hotel tax nor the local occupancy tax are considered to be general revenues.

<sup>3</sup> The Department of Revenue's Division of Taxation has promulgated rules that allow for such rentals to not be subject to the sales and use tax provided that the contracts for said rentals were entered into prior to July 1, 2015.

refundable. This change in the state EIC is expected to increase FY 2016 personal income tax refund revenues. Since TY 2016 personal income tax returns will not be filed until after January 1, 2017, which is in FY 2017, little or no impact on FY 2016 personal income tax refund revenue flows is expected. There is, however, an expected increase in the refunds payable portion of the FY 2016 personal income tax accrual to align anticipated future refunds with the time period in which the income was earned that generated these refunds. As a result, personal income tax refund revenue flows will be higher than final personal income tax refund revenues until the close of the fiscal year.

Further, the 2015 General Assembly enacted legislation that exempts from state personal income taxes taxable Social Security benefits for taxpayers with federal adjusted gross income of \$80,000 or less if filing as an individual or \$100,000 or less if filing a joint return. This exemption is provided only to those taxpayers that have reached full Social Security retirement age.<sup>4</sup> Since TY 2016 personal income tax returns will not be filed until after January 1, 2017, which is in FY 2017, little or no impact on FY 2016 personal income tax final payments is expected. There is, however, an expected decrease in the final payments receivable portion of the FY 2016 personal income tax accrual to align anticipated future final payments with the time period in which the income was earned that generated these payments. As a result, personal income tax final payments revenue flows will be higher than fiscal year-end personal income tax final payments revenues until the close of the fiscal year.

In addition, during the 2015 session, the General Assembly passed legislation that reduces the annual minimum corporate tax by 10.0 percent to \$450. This change is expected to decrease FY 2016 business corporation tax revenues. Business entities that pay the minimum corporate tax include all for-profit enterprises except for sole proprietorships and general partnerships. Minimum corporate tax filers that have January to December taxable years are required to pay the minimum tax by March 15<sup>th</sup> of the following calendar year. For calendar year minimum corporate tax filers, final TY 2016 returns are not due until March 15, 2017, which is in FY 2017 even though one-half of the business activity which generated the tax liability occurred in January to June which is in FY 2016. To align the tax paid to the business activity that generated the tax liability, 50.0 percent of minimum corporate tax payments expected to be received for TY 2016 are accrued back to FY 2016. Since the minimum corporate tax in TY 2016 is less than for TY 2015, a reduction in FY 2016 business corporations tax revenues will result on a net accrual basis. As a result, business corporations tax revenue flows will be higher than final business corporations tax revenues until the net accrual is determined after the close of FY 2016.

Finally, the 2014 General Assembly enacted legislation restructuring the estate and transfer tax.<sup>5</sup> Restructuring of the estate and transfer tax impacted estate and transfer tax revenues in FY 2015

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<sup>4</sup> For TY 2016, persons born before 1951 will be eligible for a modification reducing federal Adjusted Gross Income subject to Rhode Island income tax.

<sup>5</sup> The restructuring of the estate and transfer tax involved replacing the estate and transfer tax threshold exemption amount with a credit against estate and transfer taxes owed. Under a threshold exemption amount structure, any estate with a gross taxable estate value greater than the threshold exemption amount was subject to tax on the full taxable value of the estate while an estate with a gross taxable estate value less than the threshold exemption amount was exempt from the estate tax. Under a credit amount structure, all estates regardless of their gross taxable estate value

and will lower FY 2016 estate and transfer tax revenues. By law, the tax due on the estate of a decedent is not payable until nine months after the decedent's date of death, which is in FY 2017 for decedents who die on or after January 1, 2016 but before July 1, 2016. To account for this filing provision, at the fiscal year-end close, 75.0 percent of the estimated FY 2017 estate and transfer tax revenues are accrued back to FY 2016. As a result, estate and transfer tax revenue flows will be higher than final estate and transfer tax revenues until the close of the fiscal year.

Due to these revenue changes, the methodology used in the *Revenue Assessment Report* for FY 2016 will be similar to that used in the FY 2015 reports. For most revenue items, the assessment of FY 2016 adjusted revenues will be made vis-à-vis the FY 2016 enacted (or revised) revenue estimates. For some revenue items, however, the assessment of FY 2016 adjusted revenues will be made vis-à-vis FY 2016 enacted (or revised) revenue flows as estimated by the Office of Revenue Analysis.

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must compute the estate tax owed on the estate and then subtract the credit amount from the tax owed. If the credit amount exceeds the tax owed, then no estate tax is due. If the estate tax owed exceeds the credit amount, then the difference is the estate tax due. The estate and transfer tax restructuring applies to the estates of decedents who die on or after January 1, 2015.