LEGAL SERVICES

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MEMORANDUM

April 30, 2019

SUBJECT: New or Increased Taxes: Phrase Ambiguity (Amendment A.2 to HJR 5; Work Order No. 31-GH1070\A.2)

TO: Representative Sarah Vance Attn: Janet Ogan

FROM:

Emily Nauman Deputy Director

Please find the abovementioned amendment attached.

The amendment applies to a law "that establishes or increases the rate of a broad-based income tax or statewide sales tax." I am unsure whether that phrase would be interpreted to capture reductions of credits or other deductions that could result in an indirect increased rate of tax, without amending the actual tax rate. You may wish to make your intent on this matter clear on the legislative record.

If I may be of further assistance, please advise.

ELN:amt 19-069.amt

Attachment