



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 566 (Substitute S-1 as reported by the Committee of the Whole)
Senate Bill 567 (Substitute S-1 as reported by the Committee of the Whole)
Sponsor: Senator Dale W. Zorn
Committee: Finance

CONTENT

Senate Bills 566 (S-1) and 567 (S-1) would amend the Use Tax Act and General Sales Tax Act, respectively, to exempt from taxation under those Acts the sale or purchase of dental prostheses. The bills would be retroactive and effective beginning July 1, 2017.

The Acts currently exempt from taxation the sale or purchase of a prosthetic device, and define "prosthetic device" as a replacement, corrective, or supportive device, other than contact lenses and dental prosthesis, dispensed according to a prescription, including repair or replacement parts for that device, worn on or in the body to do one or more things listed under the Acts. The bills would delete reference to dental prosthesis from the exception to the term in both Acts.

MCL 205.92b (S.B. 566)
205.51a (S.B. 567)

Legislative Analyst: Drew Krogulecki

FISCAL IMPACT

The bills would reduce State General Fund and School Aid Fund revenue, and local unit revenue from constitutional revenue sharing, by approximately \$8.1 million per year. Under current law, labs may claim an industrial processing exemption for property used in manufacturing dental prosthetics and the sales tax is paid on the transaction from the labs to the dentists. Based on national data, the value of shipments from dental labs increased 2.8% between 2007 and 2012. Applying the same growth rate to the 2012 data, the most recent data available, suggests that sales and use tax revenue would decline by approximately \$8.1 million if the bills were effective for all of 2017.

The distribution of the impact between the General Fund, School Aid Fund, and constitutional revenue sharing would depend on the amounts exempted under the sales tax relative to the amounts exempted under the use tax. The School Aid Fund receives approximately 73.3% of sales tax revenue, while constitutional revenue sharing receives 10%, and the remainder is directed to the General Fund. However, the School Aid Fund receives one-third of use tax revenue, and the remainder of any reduction lowers General Fund revenue. (The bills would not affect use tax collections providing revenue to the Local Community Stabilization Authority.) The bills' potential impact is expected to affect mostly sales tax revenue. If 100% of the bills' impact were under the sales tax, the bills would reduce School Aid Fund revenue by approximately \$6.0 million per year, constitutional revenue sharing to local units by approximately \$0.8 million per year, and General Fund revenue by approximately \$1.4 million per year. Because the retroactive provisions of the enacting section would not become law during fiscal year (FY) 2016-17, which ended on September 30, 2017, the bills would likely result in additional refunds during FY 2017-18. As a result, the bills would reduce FY 2017-18 revenue by approximately \$10.1 million per year.

Date Completed: 10-4-17

Fiscal Analyst: David Zin

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Bill Analysis @ www.senate.michigan.gov/sfa

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