

Fiscal and Economic Impact Statement For Administrative Rules

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Department: Revenue
Office: Alcohol and Tobacco Control
Rule Title: LAC 55: VII. 317
Date Rule
Takes Effect: December 20, 2015

Summary

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. The following summary statements, based on the attached worksheets, will be published in the *Louisiana Register* with the proposed agency rule.

I. Estimated implementation costs (savings) to state or local governmental units (Summary)

This proposed amendment to the above-referenced rule provides for regulations for the use of social media advertisements, retailer trade associations, third party promotional companies, reasonable retail entertainment, sponsorship, outside signage, samplings and events at unlicensed venues. It also defines Advertisement, Retailer Trade Association and a Social Media Advertisement.

The proposed rule does not materially impact enforcement or accounting duties to the extent that departmental resources will be impacted. Thus, promulgation of this proposed rule and/or amendment will not result in any costs to state or local governmental units. Nor is it likely to result in any savings to any such units.

II. Estimated effect on revenue collections of state or local governmental units (Summary)

There are no additional fees or new permitting practices included in the proposed rule. Promulgation of this proposed rule and/or amendment will not affect revenue collections of state or local governmental units.

III. Estimated costs and/or economic benefits to directly affected persons or non-governmental groups (Summary)

Promulgation of this proposed rule and/or amendment will not result in any costs and/or economic benefits to directly affected persons or non-governmental groups.

IV. Estimated effect on competition and employment (Summary)

This proposed rule and/or amendment will not effect competition and employment.



Signature of Agency Head or Designee

Troy M. Hebert, Commissioner
Printed or Typed Name and Title of Agency Head or Designee

8/10/15
Date of Signature



Legislative Fiscal Officer or Designee

Gregory V. Albrecht, Chief Economist
Printed or Typed Name and Title of Legislative Fiscal Officer or Designee

8/10/2015
Date of Signature

Fiscal and Economic Impact Statement Worksheet

The following information is required in order to assist the Legislative Fiscal Office in the review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberation on the proposed rule.

- A. Provide a brief summary of the content of the rule (if proposed for adoption or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

This proposed amendment to the above-referenced rule provides for regulations for the use of social media advertisements, retailer trade associations, third party promotional companies, reasonable retail entertainment and events at unlicensed venues. It also defines a Retailer Trade Association and a Social Media Advertisement as well as addressing certain issues related to outside signs and product sampling.

- B. Summarize the circumstances that require this action. If the action is required by federal regulations, attach a copy of the applicable regulation.

This proposed amendment to the above-referenced rule is offered under authority of R.S. 26:150 to promulgate rules relative to unfair business practices. These rules clarify issues within the law that will allow for a more consistent interpretation.

- C. Compliance with Act 11 of the 1986 First Extraordinary Session

- 1) Will the proposed rule change result in any increase in the expenditure of funds? If so, specify amount and source of funding.

This proposed amendment will not result in any increase in the expenditure of funds.

- 2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?

(a) ___ Yes. If yes, attach documentation.

(b) ___ No. If no, provide justification as to why this rule change should be published at this time.

This question is not applicable to the proposed amendment.

Fiscal and Economic Impact Statement Worksheet

I.A. Costs or Savings to State Agencies resulting from the action proposed

1. What is the anticipated increase (decrease) in costs to implement the proposed action?

COSTS	FY 13-14	FY 14-15	FY 15-16
Personal Services	\$0	\$0	\$0
Operating Expenses	\$0	\$0	\$0
Professional Services	\$0	\$0	\$0
Other Charges	\$0	\$0	\$0
Equipment	\$0	\$0	\$0
Major Repairs & Constr.	\$0	\$0	\$0
TOTAL	\$0	\$0	\$0
POSITIONS	0	0	0

2. Provide a narrative explanation of the costs or savings shown in "A.1." including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

Implementation of this proposed amendment will have no effect on costs or savings.

3. Sources of funding for implementing the proposed rule or rule change.

This question is not applicable to the proposed amendment.

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

ATC currently has sufficient funds to implement the proposed amendment.

B. Cost/savings to local governmental units resulting from the action proposed.

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions/methods used in calculating this impact.

There will be no appreciable economic effect on local governmental units as a result of this proposed amendment.

2. Indicate the sources of funding of the local governmental unit that will be affected by these cost savings.

This question is not applicable to the proposed amendment.

Fiscal and Economic Impact Statement Worksheet

II. Effect on Revenue Collections of state and local Governmental Units

A. What increase (decrease) in revenues can be anticipated from the proposed action?

Revenue Increase/Decrease	FY 2014-2015	FY 2015-2016	FY 2016-2017
State General Fund	\$0	\$0	\$0
Agency Self-Generated	\$0	\$0	\$0
Restricted Funds*	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0
Total	\$0	\$0	\$0

*Conservation Fund

B. Provide a narrative explanation of each increase or decrease in revenues shown in "A." Describe all data, assumptions, and methods used in calculating these increases or decreases.

This question is not applicable to the proposed amendment.

III. Costs and/or economic benefits to directly affected persons or nongovernmental groups.

A. What persons or nongovernmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.), they may have to incur as a result of the proposed action.

This question is not applicable to the proposed amendment.

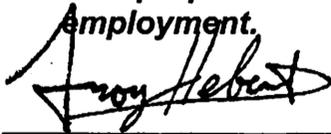
B. Also provide an estimate and a narrative description of any impact on receipts and/or income resulting from this rule or rule change to these groups.

This proposed rule and/or amendment will have no appreciable effect on taxpayer receipts or income.

IV. Effects on Competition and Employment

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

This proposed rule and/or amendment will have no effect on competition and employment.



Signature of Agency Head or Designee

Troy Hebert, Commissioner

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8/10/15

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