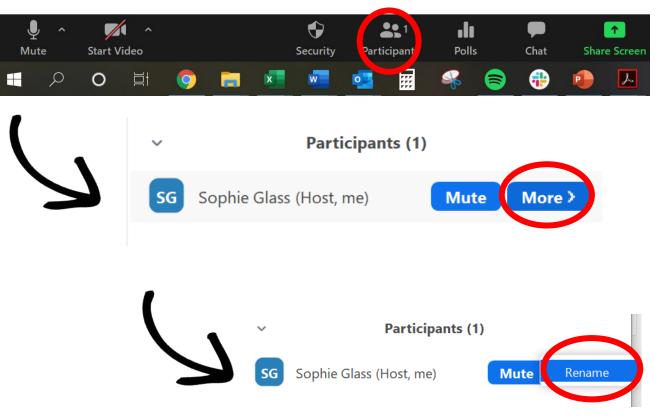
Tax Structure Work Group (TSWG) Meeting

March 30, 2022 1:00 p.m. – 4:00 p.m.

Final v. 3-30-22

Meeting Set-Up

For **Tax Structure Work Group Members** – Change your "participant name" to include your title and/or affiliation.



Welcome & Introductions

- Welcome from Tax Structure Work Group Co-Chairs
- Welcome to Tax Structure Work Group Members
- Welcome to legislators
- Welcome to participants

Technical Ground Rules

- Remain on mute unless speaking
- Message Pauline Mogilevsky through chat or call at (206) 981-2217 with any technical difficulties.
- TSWG members and panelists submit questions for presenters via chat*
- Want to provide public comment? Email <u>info@taxworkgroup.org</u> with your name and organization by 3:20 p.m.

* All information entered into the chat box is part of the public record and will be shared as part of the public meeting summary.

Agenda

- Introduction and Meeting Overview
- Overview of Survey Results
- Overview of TSWG Decision-Making & Thematic Summary of Individual Conversations with TSWG Members
- Break
- Discuss Policy Concepts
- Specificity Needed for Policy Proposals
- Public Comment
- Wrap Up and Summary of Action Items

TSWG Terminology

• **Policy Concepts** = Tax types for further consideration; outcome of March TSWG meeting

- **Policy Proposals** = Taxes for DOR to analyze; outcome of May TSWG meeting
- **Policy Recommendations/Legislation** = TSWG's final product, per the proviso.

Meeting Purpose and Timeline

TSWG Proviso Direction

Between the conclusion of the 2022 legislative session and December 31, 2022, the work group is directed to **finalize policy recommendations and develop legislation** to implement modifications to the tax structure, informed by the findings described in (d)(ii) of this subsection and the feedback received from taxpayers as reflected in the report described in (d)(iv) of this subsection.

Legislative proposals recommended by the work group may not collectively result in a loss of revenue to the state as compared to the November 2022 biennial revenue forecast published by the economic and revenue forecast council. In making the recommendations, the work group must be guided by the following principles for a well-designed tax system: Equity, adequacy, stability, and transparency;

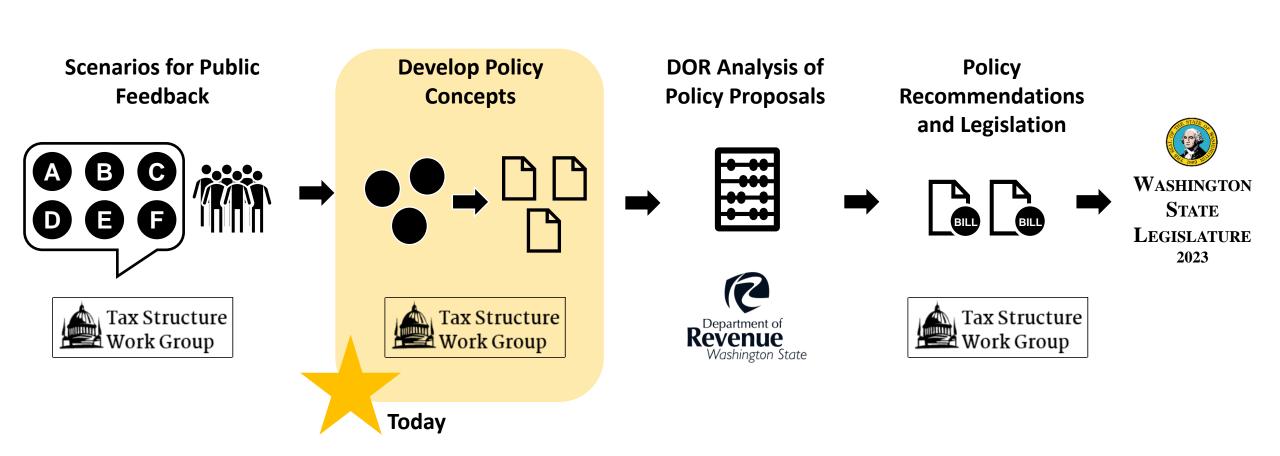
TSWG Proviso Direction

ESSB 5693, 2022 session

- TSWG to conduct and summarize results of engagement
- TSWG to finalize policy recommendations
- Legislature intends to consider proposal in 2023
- If proposal is not adopted, TSWG to collect feedback & modify proposal for legislature to consider in 2024*
- TSWG to submit a final report in 2024*
- DOR to conduct analysis as directed by TSWG*

*Pending the legislature continuing to fund support of the work group

TSWG's Journey



TSWG's Journey

March 2022 What core policy **concepts** should DOR analyze?

May 2022

What policy **details** should DOR assume to turn policy concepts into **Policy Proposals**?

Summer/Fall 2022

What policy proposals should turn into **Policy Recommendations & Legislation**?

Overview of Survey Results

Overview of Engagement Methods English Surveys Multilingual Surveys Focus of today's presentation **Tax Town Halls** We Go To You Presentations **Emails Multilingual Focus Groups** Detailed results from non-12 survey methods are in the December 2021 TSWG slide deck

Surveys



- English, Spanish, Chinese (Simplified and Traditional), Korean, Russian, Vietnamese, Ukrainian
- Long and short versions
 - Responses in the long and short versions of the survey were generally similar.
- Online and paper versions
- Total Respondents: 2,582 (1,693 Long Survey, 1,159 Short Survey)

Survey Distribution

Outreach partners:

- Legislators
- Community-based organizations
- Faith-based organizations
- Business organizations
- Statewide organizations

Tools:

- Emails
- Social media posts
- Flyers
- Presentations
- Advertisements

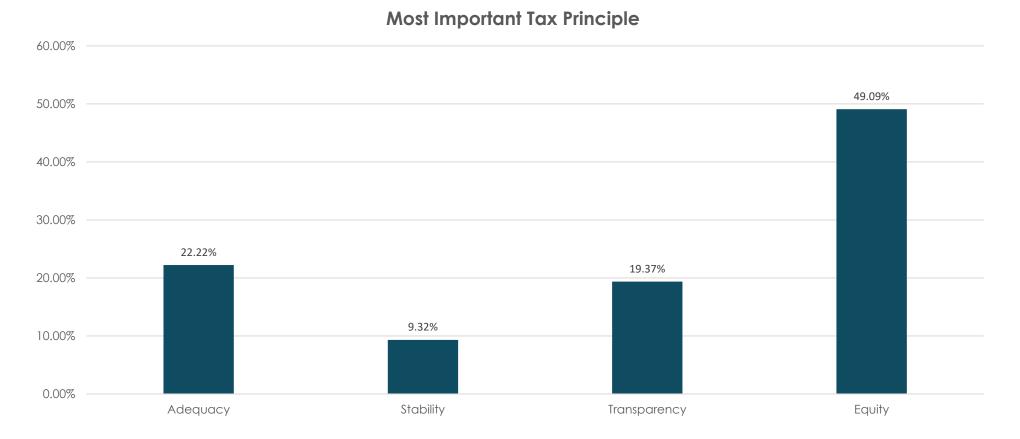
Demographics

Survey Respondents' Demographics

- Total Respondents: 2,582 (1,693 Long Survey, 1,159 Short Survey)
- Overrepresented groups (compared to WA state)
 - Among people of color: Asian and/or Asian-American, American Indian and/or Alaska Native, and Black or African American
 - English as primary language
 - Income group \$74,000 \$208,000
 - Ages 55 and up
 - Two-person household
 - Puget Sound
- Underrepresented groups (compared to WA state)
 - People of color as a whole
 - Other primary language
 - Income group \$30,000 and below
 - Age 34 and under
 - Above two-person household
 - Central and Southwest region
 - Any disability

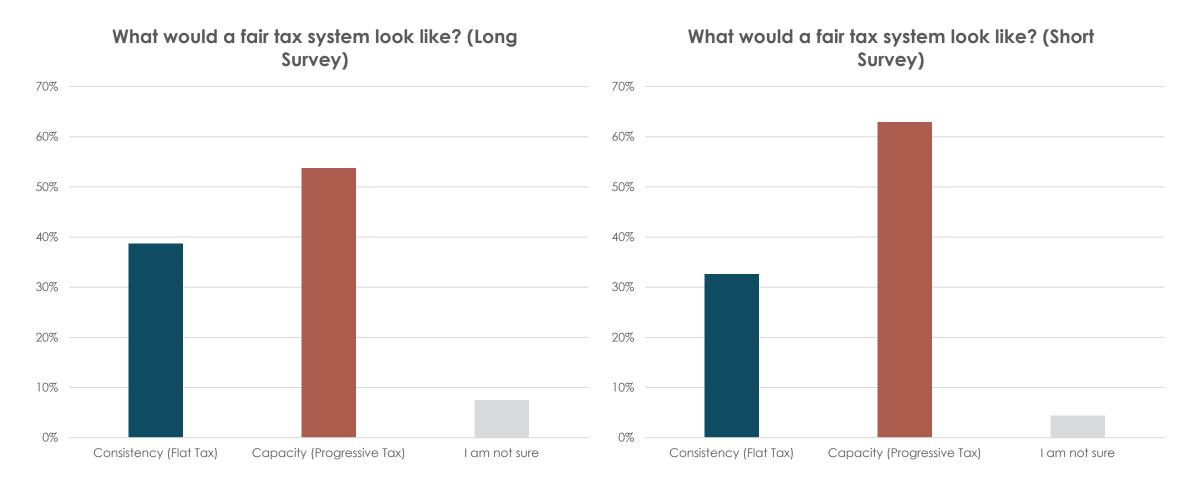
Tax Principles

Most Important Tax Principle



• Equity (Fairness) was selected most often as the most important tax principle among all demographics, with small, but similar, differentiation with respect to race, age, income, or region.

Consistency vs. Capacity to Pay



 Survey respondents indicated that a fair tax system would prioritize capacity to pay, or a progressive tax system.

Quotes about Fairness

Consistency:

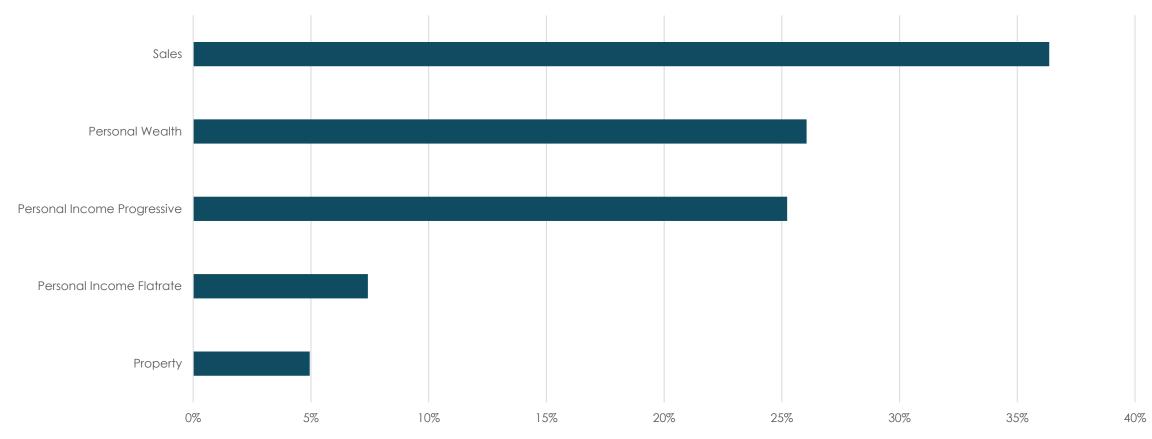
- "Everyone should have a stake in responsible spending."
- "It is less complex to pay a set %"

• Capacity:

- "The economy and government have built in disadvantages to the less wealthy, and advantages for the wealthy. The tax code can compensate for those a little."
- "I think accounting for capacity best offers a remedy to the racial wealth gap."

Preferred Personal Tax





• Sales tax is the highest-preferred tax type, followed by personal wealth, and progressive income taxes.

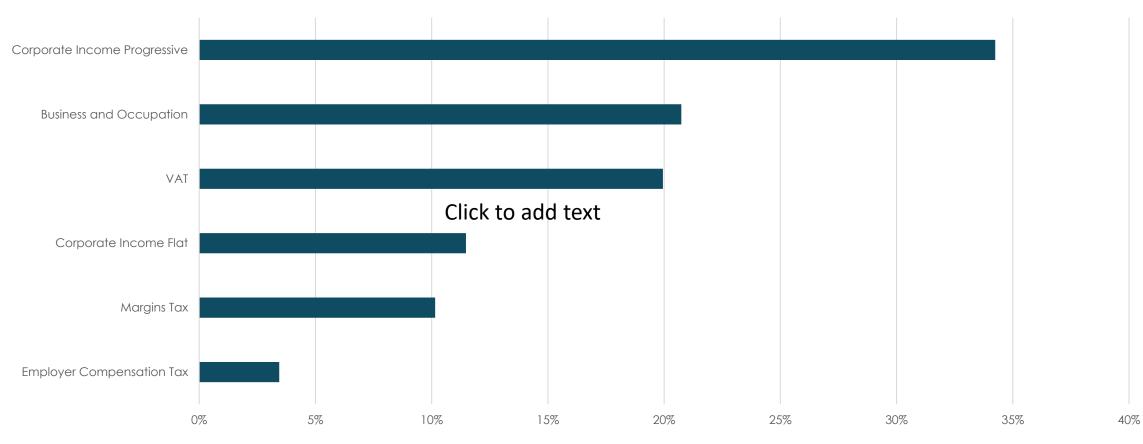
Analysis by Sub-group

Key takeaways

- People of color have a strong preference for the sales tax relative to their white counterparts.
- People with middle incomes more strongly preferred the sales tax over younger and older individuals.
- People from the Puget Sound region more strongly favored a progressive personal income tax.
- People of color responded more favorably to flat taxes over progressive taxes.
- Business owners responded more favorably to flat taxes over progressive taxes.

Business Taxes

Preferred Business Tax



Most Preferred Business Tax

• All respondents favored the Corporate Income Progressive Tax.

Analysis by sub-group

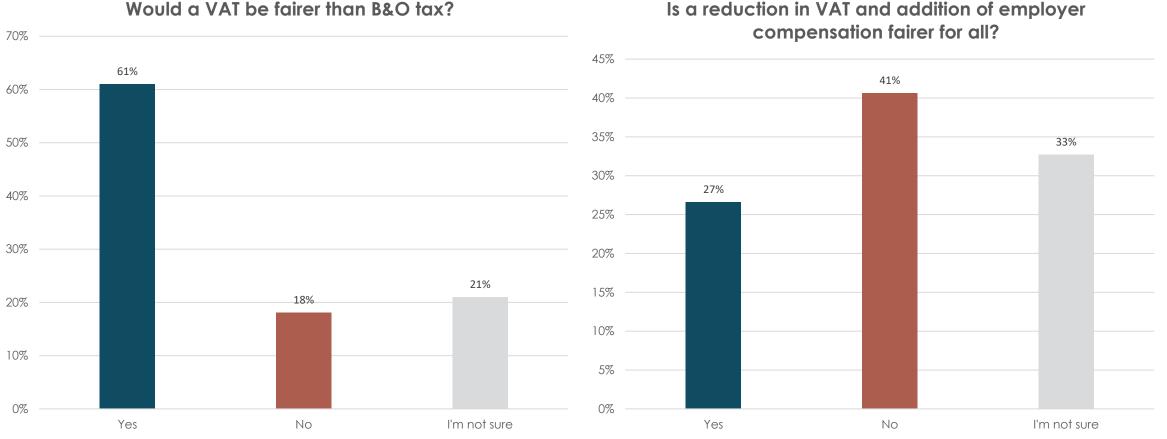
Key takeaways

- Business owners expressed different preferences for business taxes from non-business owners. The largest difference seen is non-business owners had a much bigger preference for a progressive corporate income tax, as compared to business owners.
- Businesses with lower profitability preferred a progressive corporate income tax.
- Smaller firms preferred a progressive corporate income tax as compared to larger firms.

Scenario C VAT and Employer Compensation Tax



Scenario C



Is a reduction in VAT and addition of employer

- A VAT is seen as fairer than the B&O.
- The inclusion of an employer compensation is viewed as less fair.
- Generally consistent view between owners and non-owners, business size, and business profitability.

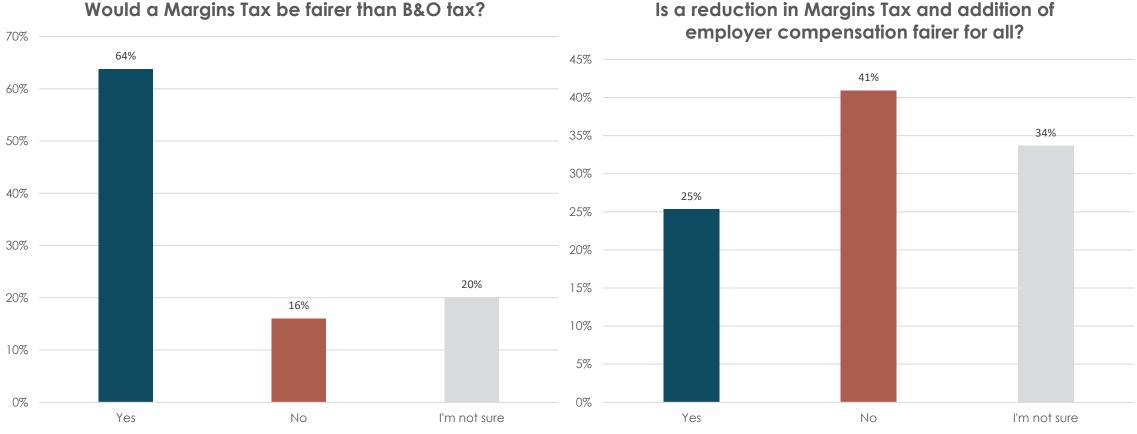
Scenario C: Quotes

- "[VAT] considers how much profit a business makes and how much it costs to make a product. It's a more specific tax based on a company's ability to pay."
- "Employer compensation tax may encourage high-paying businesses to move out of state. We need to keep them here, not give them reasons to leave. Or they will find workarounds."

Scenario D Margins and Employer Compensation Tax



Scenario D



Is a reduction in Margins Tax and addition of

- A Margins Tax is seen as fairer than the B&O.
- The inclusion of an employer compensation is viewed as less fair.
- There is a generally consistent view between owners and non-owners, business size, and business profitability with respect to the two questions above.

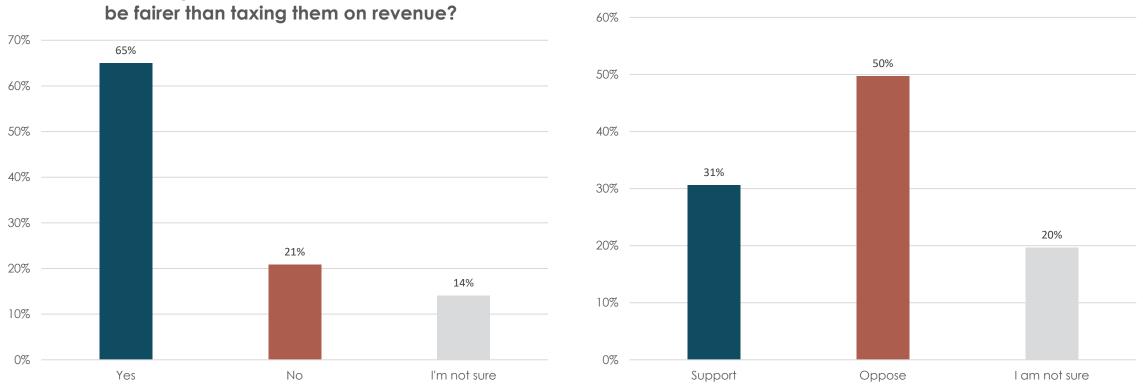
Scenario D: Quotes

"Low-margin companies are heavily penalized by the current B&O tax, whereas high margin companies benefit. Low margins generally results in better prices for consumers."

Scenario E Flat Corporate Income Net Receipts Tax



Scenario E



Overall, do you support Scenario E's approach?

Would taxing businesses based on net income

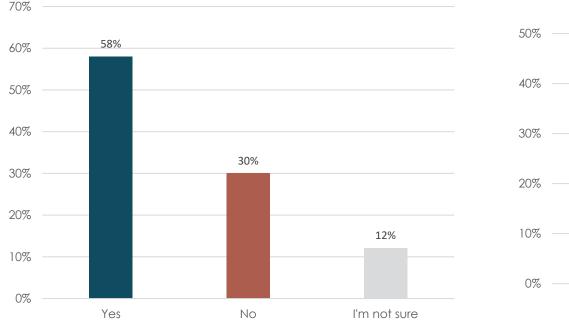
- Taxing businesses on net income is seen as fairer than taxing all revenue. Similar responses are recorded between owners and non-owners, business size, and business profitability.
- 50% of respondents do not support Scenario E's approach. Similar responses are recorded between owners and non-owners, business size, and business profitability.

Scenario F Progressive Corporate Income Net Receipts Tax

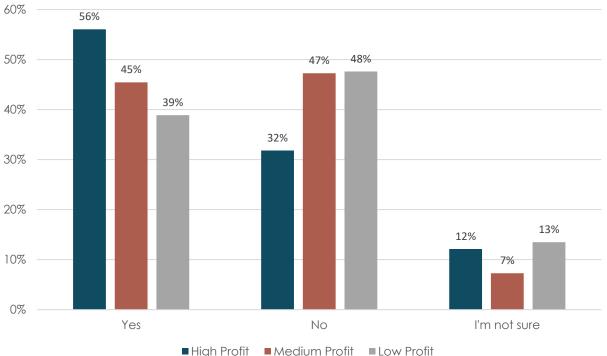


Scenario F

Would taxing businesses progressively based on net income be fairer than taxing all revenue?



Would taxing businesses progressively based on net income be fairer than taxing all revenue?



- Taxing businesses progressively on net income is seen as fairer than taxing all revenue. Business owners and non-business owners have similar responses.
- Middle and lower profitable businesses view taxing businesses progressively on net income as less fair than taxing all revenue. A similar response is seen in business size with smaller businesses also seeing it as less fair.

Scenario F

Overall do you support Scenario F's approach? Overall, do you support Scenario F's 60% 56% approach? 53% 50% 46% 50% 45% 42% 40% 40% 36% 35% 32% 30% 30% 25% 20% 20% 12% 11% 15% 12% 10% 10% 5% 0% Support Oppose Neutral or Unsure 0% Support Oppose I am not sure Business Consumer

- Overall, most respondents support the approach in Scenario F.
- However, business owners do not support this Scenario. Whereas small firms support this Scenario, mid to large firms do not support it.

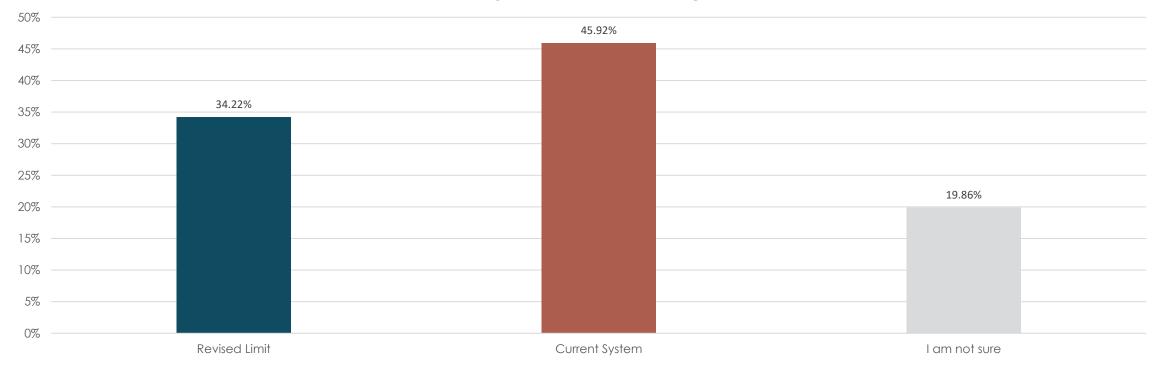
Personal Taxes

Scenario A Property Tax Limit Factor





Should the State change the property tax as the state grows or maintain the current system of 1% maximum growth per year? (Long Survey)



- Most respondents prefer the current property tax limit.
- Support for a revised limit is seen in respondents who are white and among respondents who are younger

Scenario A: Quotes

"1% keeps the state in line without overspending."

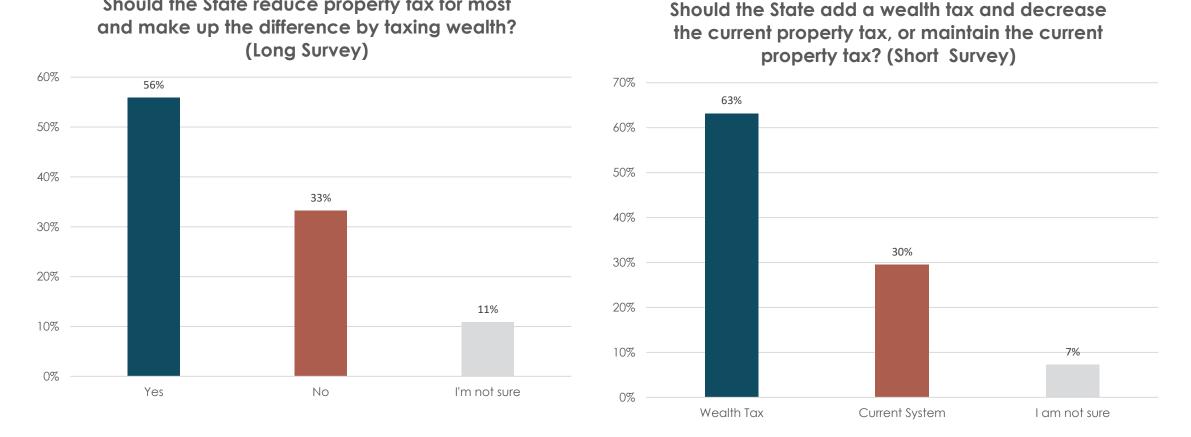
"[Revised limit would] prevent slow erosion of revenue raising capabilities."

Scenario B Property Tax Exemption and Wealth Tax



Scenario B

Should the State reduce property tax for most

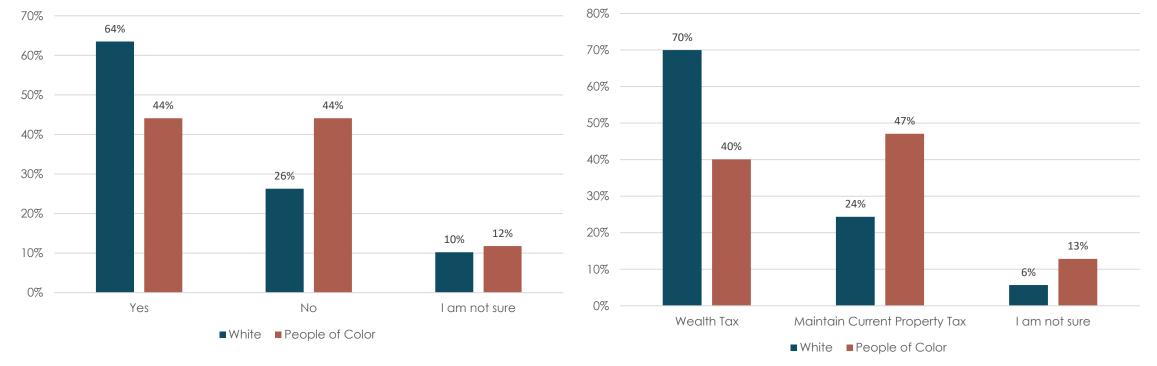


In both the long and short surveys (similar but slightly different question design), there was support for decreasing the property tax and taxing wealth. Response rates are relatively similar with respect to age, income, and geographic region.



Should the State reduce property tax for most and make up the difference by taxing wealth? (Long Survey)

Should the State add a wealth tax and decrease the current property tax, or maintain the current property tax? (Short survey)



 In both the long and short surveys, people of color respondents preferred maintaining the current property tax.

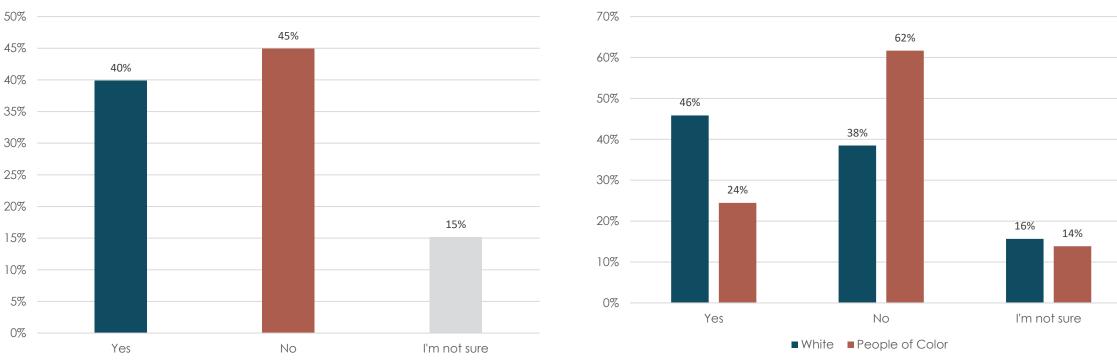
Scenario B: Quotes

- "I am a retired homeowner on limited income whose property taxes continue to escalate annually. Billionaires can afford to pay more and should."
- "I fear the limit could be changed. This would only apply to a few individuals who could easily circumvent this by moving out of state. I think it's wrong to target a sub-group in this way when it doesn't affect me."

Scenario E Flat Personal Income with Property and Sales Tax Reductions



Scenario E



Would taxing individuals' income be fairer than solely taxing spending and home value?

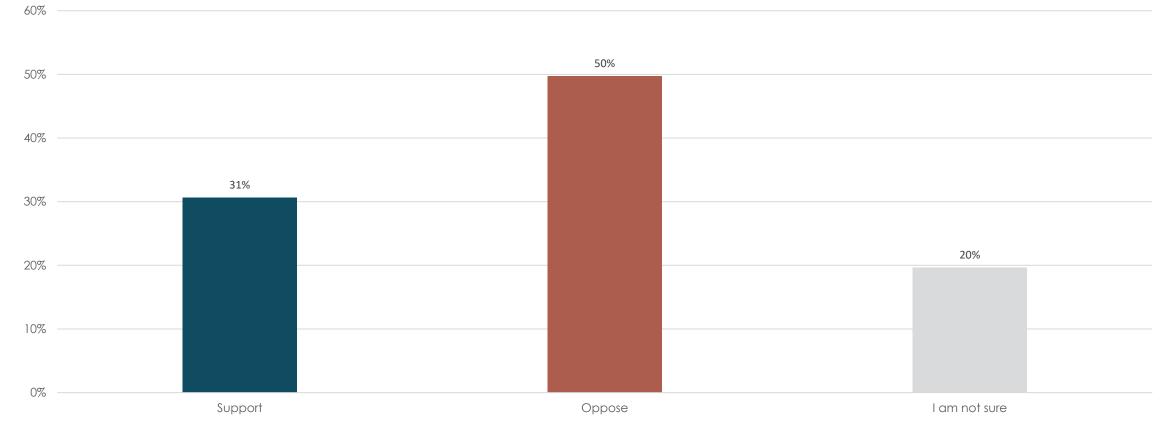
- Overall, respondents did not feel that taxing income would be fairer than solely taxing retail spending and home value. Responses are relatively similar with respect to age, income, and geographic region.
- People of color respondents more felt that this Scenario would not be fairer compared to their white respondents.

Would taxing individuals' income be fairer than

solely taxing spending and home value?

Scenario E

Overall, do you support Scenario E's approach?



• Overall, respondents did not support this Scenario. Responses rates are relatively similar with respect to race, age, income, and geographic region.

Scenario E: Quotes

 "One competitive advantage WA has is not having a state income tax, and we should keep it that way!"

 "[A flat income tax is] Less regressive, but a graduated income tax would be better."

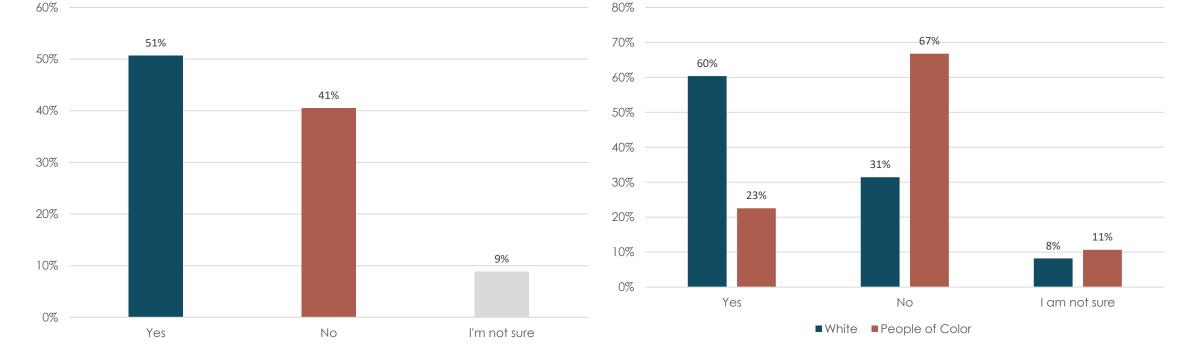
Scenario F Progressive Personal Income with Property and Sales Tax Reductions

49



Would taxing individuals progressively based on income be fairer than solely taxing on spending and home value?

Would taxing individuals progressively based on income be fairer than solely taxing on spending and home value?



- Just over 50% of respondents think progressive income taxation is a fairer approach. Responses
 are relatively similar with respect to age, income, and geographic region.
- People of color respondents do not think progressive income taxation is a fairer approach.

Scenario F

Overall, do you support Scenario F's approach? 70% 66% 50% 46% 60% 45% 55% 42% 40% 50% 35% 40% 30% 33% 25% 30% 20% 21% 20% 15% 12% 13% 12% 10% 10% 5% 0% 0% Support Neutral or Unsure Oppose Oppose Support I am not sure ■ White ■ People of Color

Overall, do you support Scenario F's approach?

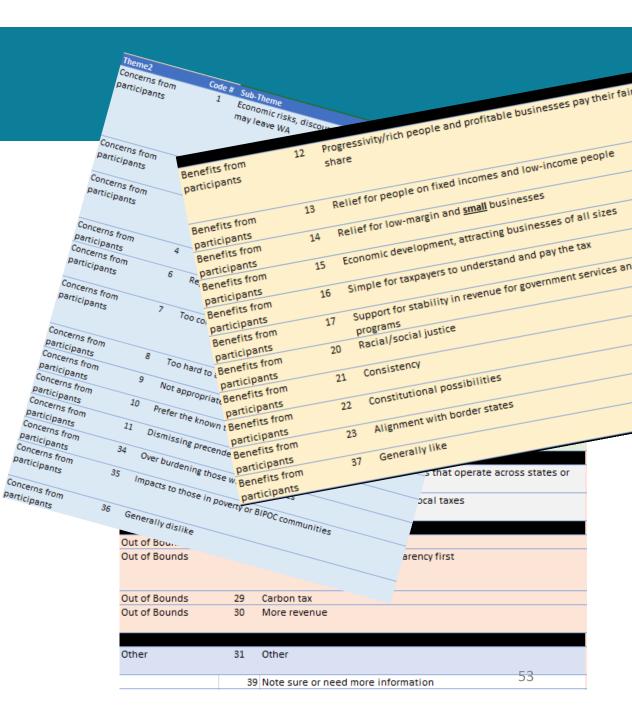
- Just over 45% of respondents think progressive income taxation is a fairer approach. Young adults and seniors are slightly more enthusiastic about the progressive PIT and Scenario E than are middle-aged adults. The Puget sound region is slightly more supportive of the progressive PIT and Scenario F than other regions are.
- People of color respondents oppose Scenario F, while over half of white respondents support the scenario.

Scenario F: Quotes

- "The unfairness of the current system has a disproportionate negative impact on Black, Indigenous and people of color. A progressive tax system is one way to reduce this impact."
- "I don't trust the sales tax or property taxes will go down for my family."

Qualitative Analysis

- Analyzed over 15,000 comments
 - Categorized into 39 possible themes
- Translated any in-language comments
- Presentation captures top themes per survey question



Qualitative Analysis: What Did We Learn?

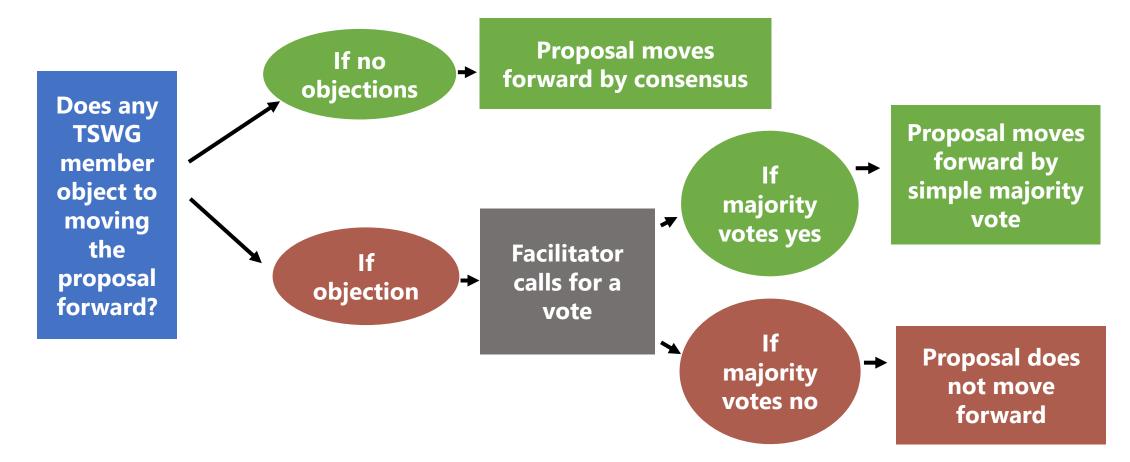
Overall, the survey comments yielded very similar themes as compared to the comments during live engagement (tax town halls, meetings, etc.). However, some new themes emerged as well...

| Торіс | New Key Theme from Survey Respondents (different from live engagement) |
|---|---|
| Property Tax Limit Factor (Scenario A) | Support for the existing 1% limit factor since it is important for government to reducing spending before receiving more money. |
| Value Added Tax (Scenario C) | There was greater support for a VAT from survey respondents as compared to the live outreach. The survey respondents that supported a VAT cited the reaons of relief for small businesses and large businesses paying more based on their capacity. |
| Margins Tax (Scenario D) | Concerns that large businesses could find loopholes to paying a margins tax. |
| Flat Corporate Income Tax (Scenario E) | Support for a flat corporate income tax as a way of providing relief for low-margin and small businesses |
| Income Taxes (Scenarios E&F) | Concerns over the constitutionality of an income tax in Washington State. 54 |

Overview of TSWG Decision-Making

Proposed Decision-Making Process - March

Which policy concepts should move forward for discussion?



Thematic Summary of Conversations with TSWG Members

Conversations with TSWG Members

Round 1: Based on public engagement, which taxes do you want to consider further? **Round 2:** Given your interest in tax reduction, what taxes would you consider to pay for that reduction?

January 2022 8 of the 9 voting members and all 3 non-voting members Early March 2022 7 of the 9 voting members and 2 of the 3 non-voting members

Today's meeting materials include the full thematic summary

Round 1 Outcomes: Business Taxes

| | Replacement or modification to business & occupation tax (B&O) | Margins tax | Value added tax (VAT) | Employer compensation tax | Corporate income tax (CIT) |
|--|--|----------------------------------|----------------------------------|------------------------------|----------------------------------|
| # of members interested in or open to the approach | 11 (8 voting, 3 non-voting) | 9 (7 voting, 2 non-voting) | | | 1 (voting) |
| # of members opposed and/or feel it is not feasible | | | 6 (4 voting, 2 non-voting) | 1 (voting) | 7 (5 voting, 2 non-voting) |

Round 1 Themes: Business Taxes

- Modification or replacement to the business and occupation (B&O) tax
 - 11 members expressed interest
 - None were opposed
- Margins tax or similar model in place of or to modify B&O
 - 9 members mentioned margins tax and all expressed interest or openness
 - None were opposed

Round 1 Outcomes: Personal Taxes

| | Modification to property tax limit factor | Primary residence property tax exemption | Modification to sales tax | Wealth tax | Personal income tax (PIT) |
|---|---|---|----------------------------------|----------------------------------|----------------------------------|
| # of members interested in or open to the approach | 5 (4 voting, 1 non-voting) | 8 (6 voting, 2 non-voting) | 2 (1 voting, 1 non-voting) | 4 (3 voting, 1 non-voting) | 4 (all voting) |
| # of members noted opposition and/or noted it is not feasible | 2 (both voting) | 1 (non-voting) | 1 (voting) | 3 (2 voting, 1 non-voting) | 6 (4 voting, 2 non-voting) |

Round 1 Themes: Personal Taxes

- No clear agreement about changes to personal taxes
- Modification of the **property tax**
 - 8 members initially expressed interest in or openness to an exemption.
 Some other members mentioned property tax rate reductions, credit, and/or cap
 - One was opposed
- No agreement about how to pay for reductions in order to maintain the revenue neutrality noted within the proviso

Round 2 Outcomes: Personal Taxes

| | 1. Tax Reduction Options | | | 2. Offsets | | | |
|--|---|--------------------------------------|---|--|--------------------------------------|---|--------------------------------------|
| | Primary residence property tax exemption | Exemption for renters | Expansion of Working Families Tax Credit | No reductions in revenue/ expansion in spending | Personal income tax | Modification of property tax limit factor | Wealth tax |
| # of members interested in or open to the approach | 6 (all voting) | 6 (all voting) | 5 (all voting) | 3 (1 voting, 2 non-voting) | 5 (all voting) | 6 (5 voting, 1 non-voting) | 7 (6 voting, 1 non-voting) |
| # of members opposed to the approach | 3 (1 voting, 2 non-voting) | 3 (1 voting, 2 non- voting) | 1 (voting) | | 3 (1 voting, 2 non- voting) | 3 (2 voting, 1 non-voting) | 2 (1 voting, 1 non- voting) |

Round 2 Themes

 More support than opposition for continuing to explore various options for tax reductions and additional revenue to pay for those reductions. But no unanimous agreement.

• A few members expressed concerns about any taxes that would require additional revenue in order to maintain revenue neutrality overall.

Today's

meeting

Break (10 minutes)

If you would like to provide public comment, email <u>info@taxworkgroup.org</u> with your name and organization by 3:20 p.m.

Discuss Policy Proposals

Anonymous Voting Instructions

Instructions for **TSWG voting members only**:

- Click the link in the chat or
- Go to menti.com and enter the code (in the chat)

Please do <u>not</u> share the link or code with anyone

menti.com

Mentimeter

Please enter the code

See code in Zoom chat
Submit

Anonymous Voting Instructions

🕍 Mentimeter

Practice Question: are you able to vote in this poll?

| Yes |
|--------|
| No |
| Submit |
| |

Once you have entered the poll, please vote in the practice question

Confirming the "Nos"

Based on interviews, the following five tax policy concepts **lacked support** to move forward:

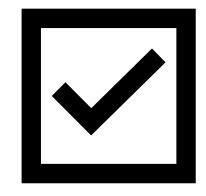
- Value Added Tax
- Employer Compensation Tax
- Flat Corporate Income Tax
- Progressive Personal Income Tax
- Progressive Corporate Income Tax



Any objection to taking off the table?

Confirming the "Yes"

Based on interviews, there was willingness to consider or discuss **replacing** the B&O tax with a **margins tax.**



Any objection to moving this tax policy concept forward for discussion?

Options for Tax Reductions

Which forms of tax reduction might the TSWG want to move forward as policy concepts for further discussion/analysis?



- Primary residence property tax exemption.
- And if so, perhaps a renters' credit. Some TSWG members also suggested property tax rate reductions, caps, and/or credits.



• Expansion of Working Families Tax Credit

Consistency with Revenue Neutrality

If the TSWG is interested in these types of tax reductions...

- Primary residence property tax exemption.
 - And if so, a renters' credit.
- Expansion of Working Family Tax Credit.

Then reconsider these offsets that had some support from the TSWG...

- Flat rate personal income tax
- Wealth tax
- Other

Options for Revenue

Which revenue options would the TSWG like to move forward for further discussion/analysis?



• Flat rate personal income tax



• Wealth tax

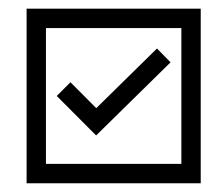


• Other

Additional Policy for Consideration



Revise the state property tax limit factor to be based on population and inflation



Any objection to moving this tax policy concept forward for discussion?

Specificity Needed for Policy Proposals

Department of Revenue

Decisions needed in May

- Tax policies DOR should develop for potential legislation in the 2023 Legislative Session
 - Individual
 - Business
- Major features or assumptions for each tax policy
- Deliverables required in the fall

Individual Policy Reductions

Primary Residence Property Tax Exemption

- Exemption amount?
- > Shift or no shift?
- > Exemption for Part 1 and Part 2 of the state levy?
- > State only or local levies too?
- > Definition of residential property?
- Note: Based on Washington Supreme Court case law, it is likely that proposed legislation would also need to include a constitutional amendment.

Working Families Tax Credit Expansion

- > Increase who is eligible?
- Increase refund payout amounts?

Individual Policy Offsets

Wealth Tax

- > Modeled after the policy in HB 1406 (2021)?
- > Threshold for taxable worldwide wealth of \$1 billion or lower?

Personal Income Tax

- > Flat rate or other rate structure?
- > Same definitions and filing threshold as federal?
- What credits should be provided B&O credit, capital gains tax credit, out-of-state credit?
- Note: Based on Washington Supreme Court case law, It is likely that proposed legislation would also need to include a constitutional amendment.

Other Policy Option

- Change the 1% Property Tax Limit Factor based on population and inflation
 - > What index should be used to adjust for inflation?
 - > Should we assume a maximum percent increase that cannot be exceeded?
 - Should we assume a minimum percent decrease so that it does not go negative?
 - State only or local levies too?

Business Tax Policy

<u>Replace</u> the B&O Tax with a Gross Margins Tax?

OR

Modify the B&O Tax?

Replace B&O Tax with a Gross Margins Tax

- Model after another state?
- Cost of goods sold (COGS) and wages definitions same as federal?
- Does this replace public utility tax too?
- Rates:
 - > Flat or graduated?
 - Single rate or different rates by industry?
 - Lower rate for retailers?
- Apportionment: single-factor or other?
- Nexus standards?
- Consolidated filing?

Modify the B&O Tax

If TSWG members expressed interest....

Rates and surcharges:

- > Keep preferential rates?
- Keep surcharges?

► Tax preferences:

- > Keep current deductions, credits, and exemptions?
- > Modify the filing threshold and small business credit level?

Timeline and deliverables

- Decisions needed from TSWG on tax concepts still under consideration during March 30 TSWG meeting
- Decisions needed from TSWG on tax policies and key features and assumptions during May 25 TSWG meeting
- **Preliminary legislative proposal and modeling** by **DOR** for September TSWG meeting
- *Final bill language and fiscal note* by **DOR** for December TSWG meeting

Public Comment Period

Comments can be up to 3 minutes long

Wrap Up and Next Steps

Proposed 2022 TSWG Timeline

| | Q1 2022 (Jan – Mar) | Q2 2022 (Apr – Jun) | Q3 2022 (Jul – Sep) | Q4 2022 (Oct – Dec) | |
|-----------------------------|--|---|---|---|--|
| Goal | Agree on revenue- neutral policy concepts for DOR to investigate | Agree on revenue- neutral policy proposals for DOR to develop | Discuss details of policy proposal(s) | Legislative Proposal Recommendations | |
| TSWG Meeting Schedule | March TSWG Meeting and Individual TSWG member Conversations, Co-Chair Calls | May TSWG Meeting and Individual TSWG member Conversations, Co-Chair Calls | TSWG Meeting and Individual TSWG member Conversations, Co-Chair Calls | TSWG Meeting and Individual TSWG member Conversations, Co-Chair Calls | |
| Public Engagement | Surveys close; final public engagement results | | | Post-election engagement? (Dec) | |
| Proposal Development | | Policy concepts explored DOR technical support (Apr-May) | / DOR policy development & technical support (Jun-Sep) | Legislative proposal development (Oct-Dec) | |