



**STATE BOARD OF EQUALIZATION  
STAFF LEGISLATIVE ENROLLED BILL ANALYSIS**

Date Amended:	<a href="#">Chapter 7</a>	Bill No:	<b>AB 1585</b>
Tax:	<b>Property Taxes Sales and Use Special Taxes Administration</b>	Author:	<b>Committee on Accountability and Administrative Review</b>
Related Bills:			

*This analysis does not address provisions of the bill that impact the Legislative Counsel.*

**BILL SUMMARY**

Among other things, this bill requires that the summary of a report prepared by a state agency be submitted to each Member of the appropriate house of the Legislature by that agency, instead of by the Legislative Counsel. This measure also requires that any bill requiring a report to include a repeal date.

**ANALYSIS**

**CURRENT LAW**

Existing law requires or requests state and local agencies to prepare and submit various reports to the Governor, the Legislature, and other state entities. Government Code Section 9795 provides that any report required or requested by law to be submitted by a state or local agency to the members of either house of the Legislature generally, shall instead be submitted to the Legislative Counsel, the Secretary of the Senate, and the Chief Clerk of the Assembly. However, this provision does not apply if the report is required or requested by law to be directed to a committee or other specified entity within the Legislature. Existing law provides that when a state agency submits reports to the Legislative Counsel, the Secretary of the Senate, and the Chief Clerk of the Assembly, it must provide one hard copy and one electronic copy. Each report must include a summary of its contents, not to exceed one page. The Legislative Counsel is required to provide a copy of the summary to each Member of the appropriate house of the Legislature within two working days of receipt of the summary.

Current law requires a state agency report shall include an Internet Web site where the report can be downloaded and a telephone number to call to order a hard copy of the report.

Government Code Section 10242.5 requires the Legislative Counsel to provide a list of reports due from various state and local agencies and to update this list on a continual basis. A list of agencies with reports due can be accessed on the California Legislative web site at [www.agencyreports.ca.gov/](http://www.agencyreports.ca.gov/).

Under various California Codes, the State Board of Equalization (BOE) is currently required to produce six statutorily-mandated reports, which includes the BOE’s annual report. The following table lists the reports due from the BOE:

<b>Section</b>	<b>Report</b>	<b>Due Date</b>
Government Code Section 13292.5	Requires specified state agencies, including the Board, to submit a report identifying and describing the status of its liquidated and delinquent accounts.	No later than October 31 of each year
Government Code Section 15616	Report shall include: (1) The assessed value of state-assessed and locally assessed real and personal property in each county and the assessed value of state-assessed and locally assessed property in each incorporated city or town, and (2) Information concerning other Board-administered taxes. (Information required under this section is reported and published in the Board's annual report.)	Annually (Board's annual report)
Government Code Section 15624	Report on all requests made by any county, city, or city and county or the assessor related to the following: (1) rendering advisory or other services, and (2) furnishing auditor and appraisal personnel to aid local taxing authorities in making post audits of personal property.	On the opening day of each regular session of the Legislature
Government Code Section 15646	Final survey report on local assessment procedures and practices employed by county assessors.	On the opening day of each regular session of the Legislature
Health and Safety Code Section 25178.1	Quarterly report on hazardous waste disposal, facilities, and generator fees collected pursuant to Health and Safety Code Sections 25174.1, 25205.2, and 25205.5	On the 15 <sup>th</sup> day of the second month following each quarter
Revenue and Taxation Code Section 30166.1	Report evaluating the average actual costs, including labor for applying indicia or impressions, bonding, warehousing, and leasing stamping equipment, including case cutters and packers, associated with applying stamps or meter impressions to cigarette packages.	No later than July 1, 2005, with updates every two years

### **PROPOSED LAW**

This bill amends Government Code Sections 9795 and 10242.5 of, and adds Section 10231.5, to revise the procedures for mandatory reporting requirements by state agencies and deletes certain obsolete reports. Among its provisions, this bill:

- Requires that the summary of any report made by a state agency to either house of the Legislature be submitted to each Member of the appropriate house by that agency, instead of by the Legislative Counsel.
- Provides that any report required or requested by law to be submitted by a state agency to the Members of either house of the Legislature must instead be submitted as a printed copy to Legislative Counsel and the Secretary of the Senate and as an electronic copy to the Chief Clerk of the Assembly.
- Provides that any bill introduced or amended in either house of the Legislature requiring a state agency to submit a report on any subject to the Legislature or Legislative Counsel must include a provision repealing or making inoperative the reporting requirement, no later than four years following the operative date of the bill or four years after the due date of any report required every four or more years.

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*This staff analysis is provided to address various administrative, cost, revenue and policy issues; it is not to be construed to reflect or suggest the Board's formal position*

- Requires the Legislative Counsel, in drafting a bill for introduction or an amendment that imposes a reporting requirement to include a provision repealing or making inoperative the reporting requirement, four years after the date on which the requirement becomes operative, unless the person requesting the bill or amendment directs Legislative Counsel to do otherwise, as specified.
- Contains a listing of existing reports, as specified, identified as obsolete, to be deleted from the list of reports maintained by Legislative Counsel.

As an urgency statute, the bill would become effective and operative immediately upon enactment.

### LEGISLATIVE HISTORY

There have been several bills introduced during the last few legislative sessions related to state agency reporting requirements. These include:

SB 1641 (Oropeza, 2008) would have allowed the BOE and the Franchise Tax Board to send any required report to the Legislature in electronic format instead of printing and mailing paper copies of the report. This bill was vetoed by Governor Schwarzenegger, and the veto message states:

“The historic delay in passing the 2008-2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year’s legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.”

AB 219 (Nakanishi, 2005) would have required all state agencies to provide the California State Library with electronic copies of their publications. This bill was held in the Senate Appropriations Committee suspense file.

AB 2482 (Campbell, 2004) would have required state agencies to submit reports electronically and submit printed copies of the reports upon request. This bill failed passage in the Assembly Business and Professions Committee.

AB 2198 (Liu, 2004) would have established procedures for state agencies to submit mandated reports. In addition, this bill would have required state agencies to have electronic versions of reports available for download. This bill was never heard in committee.

### COMMENTS

- 1. Sponsor and purpose.** This bill is the result of a hearing held by the Assembly Accountability and Administrative Review Committee in February 2009, which examined reporting requirements of state and local agencies and compliance in fulfilling those requirements. According to Committee staff, the main purpose of this bill is to create efficiencies relating to required reports due to the Legislature from state and local agencies.
- 2. Implementing the new reporting requirements would have a minor impact on the Board’s operations.** Current law requires state agencies, including the BOE, to submit one printed copy and one electronic copy to the Legislative Counsel, the Secretary of the Senate, and the Chief Clerk of the Assembly. This bill would clarify reports be submitted as a printed copy to the Legislative Counsel and the Secretary of the Senate, and as an electronic copy to the Chief Clerk of the Assembly. Current law provides that each report must include a one-page summary of its contents,

which the Legislative Counsel is required to distribute to each member of the Legislature. This bill would instead require all state agencies, including the BOE, to submit a one-page electronic summary directly to each member of the Legislature.

- 3. This bill requires Legislative Counsel to eliminate certain reports from the current list of required reports.** There are 12 BOE-related reports to be deleted from the current list maintained by Legislative Counsel. Of the 12 reports, 11 are one-time reports for which the BOE has completed and submitted those reports in accordance with the law. The report due pursuant to RTC 30166.1, which requires the Board to provide updates to the Legislature every two years, evaluates the average actual costs incurred by cigarette distributors to apply tax stamps to cigarette packages. The BOE submitted the first report in July 2006 and the update in March 2008. BOE staff is currently working on the second update of this report.

### **COST ESTIMATE**

Enactment of this bill would result in a minor cost savings in the printing and distribution of copies.

### **REVENUE ESTIMATE**

This bill would not impact the state's revenues.

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