STATE OF CALIFORNIA

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July 23, 1980

No. 80/115

TO COUNTY ASSESSORS:

SUMMARY OF PROPOSED LEGISLATION NUMBER 19

Following are brief summaries of selected proposed property tax bills and amendments introduced by the Legislature which should be of interest to you.

AB 1522
Author: Assemblyman Imbrecht
Action: Amended in Senate
Date: July 11, 1980
Affected Reference: Various sections of various codes

Under existing law, undocumented vessels using the waters of this state are required to be registered and currently numbered. Such vessels are generally subject to property taxation.

This bill would revise such provisions and impose a tax for the privilege of operating vessels subject to registration upon the waters of this state, which would be in lieu of all taxes according to value levied for state or local purposes on vessels of a type subject to registration under the Vehicle Code. This bill would further specify that it does not apply to commercial vessels.

AB 2431
Author: Assemblyman Priolo
Action: Enrolled
Affected Reference: Amends Section 70 of the Revenue and Taxation Code

This bill would provide that for purposes of such definition, any reconstruction or improvement of real property where such property was, pursuant to a notice or permit issued by the governing body, reconstructed or improved to comply with local ordinances on seismic safety shall not be deemed "newly constructed" for purposes of causing a reassessment.

AB 2777
Author: Assemblyman Imbrecht
Action: Amended in Senate
Date: July 11, 1980
Affected Reference: Amends Sections 62, 64, and 480 of the Revenue and Taxation Code

This bill would provide that transfers of title into or out of a legal entity, such as a change of title from a cotenancy into a partnership, without changing the proportional interests of the coowners, would not be considered a change in ownership for reassessment purposes.

This bill would also provide that where a change of control is obtained in a partnership or other legal entity through a transfer of a partnership or other legal interest, such transfers shall also be considered changes in ownership of property of the partnership or other legal entity in which control is obtained.

AB 3155
Author: Assemblyman Deddeh
Action: Amended in Senate
Date: July 10, 1980
Affected Reference: Various sections of various codes

Under existing law, assessment ratios for purposes of property taxation were recently changed from 25 percent to 100 percent of full value. This bill would conform additional sections of law to this change.

SB 164
Author: Senator Maddy
Action: Enrolled
Affected Reference: Amends Section 423.7 of the Revenue and Taxation Code

This bill would provide that unless a party to an instrument which creates an enforceable restriction expressly prohibits such a valuation, the valuation resulting from using the current per-acre value of lands sold within the same county shall not exceed the valuation that would have resulted by calculation under Section 110.1 of the Revenue and Taxation Code, as though such property was not subject to an enforceable restriction in the base year.

SB 180
Author: Senator Marks
Action: Enrolled
Affected Reference: Various sections of various codes

SB 180 (Contd.)

This bill provides that the county assessor shall provide to the county auditor, within 30 days of the notice of filing a report which identifies the assessed valuations for a territory subject to jurisdictional change and the tax rate area or areas in which the territory exists.

SB 1383
Author: Senator Presley
Action: Enrolled
Affected Reference: Amends Section 51283 of the Government Code

This bill would change the waiver requirements in the Williamson Act to require the Secretary of the Resources Agency to determine that the findings made by the governing body of the city or county is in the public interest and is consistent with the policies of the California Land Conservation Act of 1965.

SB 1640
Author: Senator Speraw
Action: Enrolled
Affected Reference: Adds Section 2188.7 to the Revenue and Taxation Code

This bill would provide that whenever a community apartment project, stock cooperative, limited equity housing cooperative, or other housing cooperative requests a separate assessment, the assessor shall separately assess the individual interests held by the owners of the project or the shareholders of the corporation if certain conditions are met.

SB 1736
Author: Senator Sieroty
Action: Enrolled
Affected Reference: Amends various sections of the Business and Professions Code

This bill would bring "time-share projects," "time-share estates," and "time-share uses" under regulation by the Commissioner of Real Estate by including these terms within the definition of "subdivision" of real property.

SB 1747
Author: Senator Ayala
Action: Enrolled
Affected Reference: Amends Section 51231 and 51238, and adds Section 51282.3 to the Government Code

SB 1747 (Contd.)

This bill would provide that agricultural laborer housing facilities shall be determined to be a compatible use within any agricultural preserve unless the board or council finds to the contrary. It would also provide a procedure for the cancellation of any contract by the landowner if the board or council has determined that agricultural laborer housing is not a compatible use on the contracted lands.

SCA 51
Author: Senator Greene, et al.
Action: Introduced
Date: July 9, 1980
Affected Reference: Adds Subdivision (c) to Section 2 of Article XIII A of the Constitution

This measure would provide that for purposes of the constitutional provision, "change of ownership" shall not include the acquisition of real property as a replacement for comparable property if the person acquiring the real property has been displaced from the property replaced by eminent domain proceedings as a result of the Century Freeway.

The following bills have been signed by the Governor since our last Summary of Proposed Legislation Letter:

AB 2479 - Hannigan - Chapter 411, Statutes of 1980
Transshipment exemption/head-day tax

AB 2656 - Mello - Chapter 546, Statutes of 1980
State assessed property

Sincerely,

Verne Walton

Verne Walton, Chief
Assessment Standards Division

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Enclosures