



**STATE BOARD OF EQUALIZATION**

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October 28, 1983

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DOUGLAS D. BELL  
Executive Secretary  
No. 83/113

TO COUNTY ASSESSORS:

SUMMARY OF PROPOSED LEGISLATION NUMBER 15

Following are brief summaries of legislation chaptered or vetoed during 1983-84 regular session of the Legislature. These measures relate to the Revenue and Taxation Code and otherwise to the assessing function.

AB 399

Author: Assemblyman Hannigan  
Action: Approved by the Governor  
Date: September 28, 1983

Affected Code Section: In pertinent part, amends various of the sections numbered 75 through 75.80 of the Revenue and Taxation Code.

As Chapter 1102, this clean-up bill clarifies many of the statutes governing supplemental assessments. Its finer points will be covered in a separate letter to assessors.

AB 548

Author: Assemblyman Harris  
Action: Vetoed by the Governor  
Date: September 30, 1983

Affected Code Section: Amends Section 1152 of the Revenue and Taxation Code.

This bill would have modified the assessment formula for certificated aircraft.

AB 689

Author: Assemblyman Costa  
Action: Approved by the Governor  
Date: September 15, 1983

Affected Code Sections: Amends Sections 51283 and 51284 of the Government Code. Urgency statute.

As Chapter 864 this bill requires that deferred taxes (cancellation fee) collected pursuant to the cancellation of an open-space contract be transmitted to the State Controller within 30 days of the issuance of a certificate of cancellation. It also creates an account in the General Fund to assist the Department of Conservation in mapping and monitoring farmlands. Finally, it requires that the Director of the Department of Conservation be notified of any public hearing for cancellation of an existing Williamson Act contract.

AB 779

Author: Assemblyman Robinson  
Action: Approved by the Governor  
Date: September 30, 1983  
Affected Code Section: Adds Section 51280.1 to the Government Code.

As Chapter 1296, this act states that city councils and county boards are not required to cancel an open-space contract upon making certain findings; rather, the board or council may act according to its discretion and conditions within its jurisdiction. This provision applies only to cancellations within its jurisdiction. This provision applies only to cancellation proceedings initiated under the "window bill" (AB 2074), which was Chapter 1095 of the Statutes of 1981.

AB 800

Author: Assemblyman Sher  
Action: Approved by the Governor  
Date: September 23, 1983  
Affected Code Sections: Affects many sections of the Government, Health and Safety, and Revenue and Taxation Codes.

As Chapter 1051, this statute allows qualified senior citizens to postpone property taxes on their mobilehomes which are locally assessed. For calendar year 1984 and thereafter, the maximum income limit is \$34,000 for applicants who qualified in 1983 for postponements, and \$24,000 for all other claimants.

AB 1098

Author: Assemblyman Connelly  
Action: Approved by the Governor  
Date: September 6, 1983  
Affected Code Section: Amends Section 68 of the Revenue and Taxation Code. Urgency statute.

As Chapter 662, this act implements the constitutional amendment which excludes from change in ownership the acquisition of real property as a replacement for comparable property taken by eminent domain proceedings, by acquisition by a public entity, or by judgment of inverse condemnation. It provides that the adjusted base-year value of the replacement property will be the lower of its fair market value or the sum of (1) the adjusted base-year value of the property taken plus (2) any amount by which the full cash value of the property acquired exceeds 120 percent of the amount received for the taken property.

AB 1200

Author: Assemblyman Connelly  
Action: Approved by the Governor  
Date: September 28, 1983  
Affected Code Sections: In pertinent parts, amends various sections of the Revenue and Taxation Code.

As Chapter 1224, this bill affects the property tax aspects of public finance in the following areas of primary interest:

- (1) the exemption of low-valued property
- (2) taxes levied for escape assessments not caused by assessee's error
- (3) the use of hearing officers in assessment appeals
- (4) the charging of penalties, interest, and fees
- (5) forgiveness of small amounts of taxes or other costs owed to a county
- (6) the contents of the county tax bill

AB 1217

Author: Assemblyman Cortese  
Action: Approved by the Governor  
Date: September 12, 1983  
Affected Code Sections: Amends Section 5151 of the Revenue and Taxation Code.

As Chapter 737, this act requires that 9 percent interest be paid on taxes refunded to taxpayers when such refund is not due to an assessee's error, provided that the taxpayer must first file a claim for refund. The interest shall be computed for the longest of four specific periods described in the act.

AB 1345

Author: Assemblyman Waters  
Action: Approved by the Governor  
Date: September 18, 1983  
Affected Code Sections: Adds Section 51230.1 to, and adds and repeals Section 51256 of, the Government Code.

As Chapter 880, this bill allows intrafamily transfers of open-space land under written agreement to operate the agricultural business under joint management. It also allows a city or county to rescind an open-space contract and simultaneously enter into a new contract on land not already under contract, under certain specified conditions. These provisions last only until January 1, 1985, unless extended at a later date.

AB 1485

Author: Assemblyman Sher  
Action: Approved by the Governor  
Date: September 27, 1983  
Affected Code Sections: Many sections of many codes; of primary interest, however, it amends Sections 461 and 462 of the Revenue and Taxation Code.

As Chapter 1092, this act raises the maximum fine for giving false information related to property tax assessments from \$500 to \$1,000. It also doubles the maximum fines for failure to respond accurately to the assessor's written request for information, raising them from a \$500 maximum to \$1,000 for individuals, and from an additional fine of \$100 per day to \$200 per day for corporations.

SB 217

Author: Senator Beverly  
Action: Approved by the Governor  
Date: September 27, 1983  
Affected Code Section: Adds Section 998 to the Revenue and Taxation Code.

As Chapter 1110, this measure requires that timeshare estates or timeshare uses be valued exclusive of any nonreal property items, as specified. It states that the aggregate assessed value of all the interests in a timeshare project shall be the sum of the market value of the property as if not owned on a timeshare basis, plus added value attributable to the marketing of the property in timeshare format. It also requires the State Board to adopt regulations by June 30, 1984, to implement the findings of this bill.

SB 483

Author: Senator Royce  
Action: Approved by the Governor  
Date: September 28, 1983  
Affected Code Sections: In pertinent part, repeals Section 5097.1 of the Revenue and Taxation Code, and amends Section 5097.2 of it.

As Chapter 1211, this statute provides that property taxes may be refunded if, among other things, the taxes paid were based on an assessed value that has been reduced by an assessment appeals board or an assessment hearing officer.

SB 516

Author: Senator Maddy  
Action: Approved by the Governor  
Date: September 20, 1983  
Affected Code Section: The relevant amendment is to Section 214.11 of the Revenue and Taxation Code.

As Chapter 960, this act provides that property owned and operated by a nonprofit organization that would otherwise qualify for the welfare exemption, shall be considered exclusively used for hospital purposes so long as the property is actually exclusively used for hospitals which qualify for exemption under the welfare statutes of this state or the laws of the United States.

SB 521

Author: Senator Rosenthal  
Action: Approved by the Governor  
Date: September 28, 1983  
Affected Code Section: Amends Section 70 of the Revenue and Taxation Code.

As Chapter 1187, this bill excludes from new construction the reconstruction or improvement done to a structure, constructed with unreinforced masonry bearing walls, necessary to meet local seismic safety ordinances. This exclusion would last for 15 years from the date of reconstruction or completion of improvement.

SB 622

Author: Senator Davis  
Action: Approved by the Governor  
Date: September 9, 1983  
Affected Code Section: Amends Section 723 of the Revenue and Taxation Code.

As Chapter 694, this act requires that the State Board, when valuing nonunitary properties, consider current information on comparable properties as supplied by the county assessor immediately before reappraisal of that property by the board.

SB 748

Author: Senator Ayala  
Action: Approved by the Governor  
Date: September 28, 1983  
Affected Code Sections: Amends Sections 434.5 and 435 of the Revenue and Taxation Code.

As Chapter 1198, this measure revises the site value schedules for timberland production zones. For 1984, the site value schedule will be in fixed amounts; thereafter, the values will be determined by a formula using the most recent five fiscal years' net harvest value and total harvest volume.

TO COUNTY ASSESSORS

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SB 797

Author: Senator Craven

Action: Approved by the Governor

Date: September 14, 1983

Affected Code Sections: Amends Sections 5803 and 5813 of the Revenue and Taxation Code.

As Chapter 807, this act requires that the county assessor, when valuing mobilehomes on rented or leased land, take into consideration the selling prices for mobilehomes suggested by recognized value guides.

Copies of each of these measures are enclosed for your information.

Sincerely,



Verne Walton, Chief  
Assessment Standards Division

VW:bjb  
Enclosures  
AL-12-1387A