



STATE BOARD OF EQUALIZATION

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Executive Secretary
No. 83/93

September 2, 1983

TO COUNTY ASSESSORS:

Summary of Proposed Legislation Number 13

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

AB 800

Author: Assemblyman Sher
Action: Amended in Senate
Date: August 16, 1983
Affected Code Sections:

In relevant part, adds Chapter 3.3 to Part 10.5 of Division 2 of the Revenue and Taxation Code.

This bill would enact the "Senior Citizens Mobilehome Property Tax Postponement Law," which would allow senior citizens who are 62 on the qualifying date, blind or disabled to postpone payment of property taxes due on mobilehomes owned and occupied by them. For calendar year 1984 and later, postponement would not be allowed if household income exceeded \$33,600 for qualified claimants who filed in 1983, and \$24,000 for all other claimants.

AB 1014

Author: Assemblyman Lancaster
Action: Amended in Assembly
Date: August 15, 1983
Affected Code Sections:

Adds Section 11911.2 to the Revenue and Taxation Code.

As amended, this bill would modify existing law that allows counties that impose documentary transfer taxes to require that assessor's parcel numbers be posted on any document transferring real property. It would except from the above requirement trust deeds and deeds of reconveyance recorded in counties having a population greater than 4,000,000 (Los Angeles County). Failure to have the parcel number noted, or noting an erroneous parcel number, would result in a recording fee surcharge.

AB 1345

Authors: Assemblyman Waters et al.
Action: Amended in Senate
Date: August 22, 1983
Affected Code Sections:

Adds Section 51230.1 to, and adds and repeals Section 51256 of the Government Code.

As amended, this bill would allow a city or county to simultaneously rescind an existing Williamson Act contract and enter into a new contract on previously uncontracted land, provided that:

(1) The uncontracted land is worth at least as much, based on restricted open-space assessment procedures, as the land being released from contract;

(2) The uncontracted land is at least equal in area and agricultural productivity to the land being released;

(3) The land being released from contract is proposed for an alternative use consistent with the current general plan and the general plan for the land has been amended after such land became subject to a Williamson Act contract;

(4) The uncontracted land is in the same county and in the same ownership as the land being released and includes land previously under contract and still in agricultural use and whose contract was cancelled prior to 1974.

No rescission of contract would be permitted unless the landowner has served notice of nonrenewal before 1983 or while there remains more than five years in the nonrenewed contract. Rescission would be allowed only in cities or counties that had open-space contracts before 1969 and in which the landowners had executed these contracts before 1969. This provision has a sunset clause automatically repealing it as of January 1, 1985, unless it is extended by a later enacted statute.

ACA 2

Author: Assemblyman Elder

Action: Amended in Assembly

Date: August 15, 1983

Affected Constitutional Provisions: In pertinent part, this version amends Article XIII, Section 3(k) and Article XIII A, Sections 1 and 2.

The latest proposed changes to Article XIII, Section 3(k) are:

(1) The full cash value over \$20,000 and under \$220,000 of each residential property, both owner-occupied and non-owner-occupied, would be exempt from property taxation. Owner-occupants of licensed mobilehomes would receive a personal income tax credit of up to \$2,000;

(2) Tenants residing in a residential unit on March 1 would receive a personal income tax credit of \$100;

(3) Commercial and industrial property owned by a small business, as defined, and not used for residential or agricultural purposes, shall have \$50,000 in full cash value of such taxable property exempted, such exemption to be applied first to taxable personalty and then to the real property owned by the small business;

(4) For mobilehome parks, there would be an exemption of \$40,000 for each rental space, applied to the assessment of the entire mobilehome park. All of these exemptions would be increased annually by two percent.

The proposed changes to Article XIII A, Section 1 are:

(1) The following types of property would be taxed at one percent of full cash value: residential, agricultural (including horse racing tracks), property owned by a taxable nonprofit corporation, and oil or gas mineral rights;

(2) All other property would be taxed at two and one half percent of its full cash value;

(3) The allocation of property tax revenues would be modified.

The proposed changes to Article XIII A, Section 2 are:

(1) For real property subject to the one percent tax rate, the base year would be changed to 1980;

(2) For newly discovered proven reserves of oil or gas, the full cash value shall be the appraised value as of the date of discovery;

(3) All property subject to the two and one-half percent tax rate would be assessed at its fair market value, determined annually. This amendment would take effect on July 1 following its adoption and would not result in refunds for prior years.

SB 748

Authors: Senators Ayala and Keene

Action: Amended in Assembly

Date: August 17, 1983

Affected Code Section: Amends Sections 434.5 and 435 of the Revenue and Taxation Code.

As amended, this bill would require the State Board of Equalization to certify to county assessors, by January 10 of each year, the value of lands zoned for timberland production, as determined according to a specific formula. This change would take place beginning in 1985.

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

Sincerely,



Verne Walton, Chief
Assessment Standards Division

VW:bjb

Enclosures

AL-05-1499A/W-2