



STATE OF CALIFORNIA

STATE BOARD OF EQUALIZATION

1020 N STREET, SACRAMENTO, CALIFORNIA
(P.O. BOX 942879, SACRAMENTO, CALIFORNIA 94279-0001)

(916) 445-4982

WILLIAM M. BENNETT
First District, Kentfield

BRAD SHERMAN
Second District, Los Angeles

ERNEST J. DRONENBURG, JR.
Third District, San Diego

MATTHEW K. FONG
Fourth District, Los Angeles

GRAY DAVIS
Controller, Sacramento

BURTON W. OLIVER
Executive Director

No. 92/23

March 20, 1992

TO COUNTY ASSESSORS:

EXEMPTION CODE SECTIONS AFFECTED BY 1991 LEGISLATION

In 1991, two bills were enacted, affecting six Revenue and Taxation Code sections relating to property tax exemptions. The following is a summary of those changes.

Sections 214.12, 217.1, 255.2, and 270

Chapter 646 (Senate Bill 299) is effective January 1, 1992. This statute repeals Section 214.12 which pertained to a possessory interest issue in Sierra County which was declared unconstitutional by the appellate court in Copren v. State Board of Equalization, 200 Cal.App.3d 828. It also deletes obsolete portions of Sections 217.1, 255.2, and 270 which pertain to specific dates for the filing of specific years' exemption claims, all of which have lapsed.

Sections 214.2 and 532.2

Chapter 897 (Senate Bill 997) is effective January 1, 1992. This statute amends Section 214.2 by adding subdivision (b) concerning the definition of "facilities in the course of construction" for property whose use upon completion of construction will qualify for the welfare exemption. The statute also adds Section 532.2 to provide for escape assessments in the event construction is abandoned or the use upon completion of construction does not qualify for the welfare exemption. Section 3 of the bill states that the Legislature finds and declares that the amendments to Section 214.2 of the Revenue and Taxation Code made by this act do not constitute a change in, but are declaratory of, existing law. Guidelines for implementing this change will be discussed in a future assessors' letter.

Questions concerning the above legislation should be directed to our Exemption Unit staff at (916) 445-4982.

Sincerely,

Verne Walton, Chief
Assessment Standards Division

VW:bj
AL-35-0529E