



BOARD OF EQUALIZATION
LEGISLATIVE COMMITTEE MEETING AGENDA
 HONORABLE BETTY T. YEE, CHAIRWOMAN
 450 N STREET, SACRAMENTO, ROOM 122
 JANUARY 25, 2005 9:30 AM

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2005 Legislative Proposals

PROPERTY TAXES

2005 Legislative Proposals

Set forth below are suggestions for Property Taxes legislation to be sponsored by the Board in the first year of the 2005-2006 Legislative Session (see attachments). Additional suggestions will be included on the agenda for February, 2005.

Suggestion Number

- 1-8 Amend Revenue and Taxation Code Sections 254.5 and 254.6 to clarify the procedures for supplemental clearance certificates for managing general partners. (Housekeeping)**

Source: Property and Special Taxes Department and Legal Department

Revenue Impact: None

Recommendation: Adopt

- 1-9 Amend Section 63.1 of the Revenue and Taxation Code to provide that the existence of a stepparent will not disqualify a grandchild from receiving the grandparent-grandchild change in ownership exclusion when the stepparent is still considered to be a "child" (as a son-in-law or daughter-in-law) of the grandparent for purposes of the parent-child change in ownership exclusion.**

Source: Taxpayers' Bill of Rights Annual Report and Hearing

Revenue Impact: Insignificant, under \$10,000

Recommendation: Adopt

BUSINESS TAXES GENERAL

2005 Legislative Proposals

Set forth below are suggestions for Business Taxes legislation to be sponsored by the Board in the first year of the 2005-2006 Legislative Session (see attachments). Additional suggestions will be included on the agenda for February, 2005.

Suggestion Number

- 2-1** **Amend Section 6479.3 of the Sales and Use Tax Law to eliminate the requirement that persons voluntarily electing to remit amounts due by electronic funds transfers must do so for a minimum of one year. Similar amendments would be made to the Special Taxes laws.**

Source: Honorable Bill Leonard

Revenue Impact: None

Recommendation: Adopt

**BUSINESS TAXES
SPECIAL TAXES**

2005 Legislative Proposals

Set forth below are suggestions for Special Taxes legislation to be sponsored by the Board in the first year of the 2005-2006 Legislative Session (see attachments). Additional suggestions will be included on the agenda for February, 2005.

**Suggestion
Number**

- 4-5** **Amend Section 22979.2 of the Business and Professions Code to include imported cigarettes when computing the administration fee for manufacturers and importers that begin operations after January 1, 2004. (Housekeeping)**

Source: Excise Taxes Division

Revenue Impact: None

Recommendation: Adopt

- 4-6** **Amend Section 22978.4 of the Business and Professions Code to revise the distributor and wholesaler invoicing requirements for the sale of cigarettes or tobacco products. (Housekeeping)**

Source: Excise Taxes Division and Investigations Division

Revenue Impact: None

Recommendation: Adopt

- 4-7** **Amend Sections 22978.7 and 22979.7 of the Business and Professions Code to clarify the penalty for second or subsequent violations of the Cigarette and Tobacco Products Licensing Act. (Housekeeping)**

Source: Legal Department

Revenue Impact: None

Recommendation: Adopt

Special Taxes (continued)

**Suggestion
Number**

4-8 Add Section 30361.5 to the Revenue and Taxation Code to apply excess tax reimbursement to persons that represent amounts as reimbursement for taxes imposed upon the distribution of tobacco products when such amounts are computed upon an amount that is not taxable or is in excess of the tax amount. (Housekeeping)

Source: Excise Taxes Division

Revenue Impact: None

Recommendation: Adopt

Approved: /S/ Betty T. Yee
Betty T. Yee, Chairwoman

/S/ Ramon J. Hirsig
Ramon J. Hirsig, Executive Director

BOARD APPROVED

at the Jan. 25, 2005 Board Meeting

/S/ Deborah Pellegrini
Deborah Pellegrini, Chief
Board Proceedings Division