

Amend Revenue and Taxation Code Sections 755 and 756 to add a needed reference to Section 100.9, related to allocation of tax. (Technical)

Source: Property and Special Taxes Department and Legal Department

Existing Law:

Effective January 1, 2003, Chapter 57 of the Statutes of 2002 (AB 81) added Section 100.9 to the Revenue and Taxation Code to require that the value of electric generation facilities be allocated to the specific tax rate area where the facility is located, rather than the county-wide tax rate area prescribed by Section 100 for other state assessed property.

Sections 755 and 756, which relate to information the Board provides to county auditors on roll values and roll value estimate, detail special procedures for other properties where value must be allocated to a specific tax rate area rather than the county-wide tax rate area. Staff recommends that these sections of law be modified to additionally include a reference to Section 100.9.

This Proposal:

This conforming clean-up amendment would ensure that the law properly references all exceptions to the countywide allocation of state assessed property values.

Section 755 of the Revenue and Taxation Code is amended to read:

755. (a) On or before July 15, the board shall transmit to each county auditor an estimate of the total unitary value and operating nonunitary value of state-assessed property in the county and of nonunitary state-assessed property in each revenue district in the county. An estimate need not be made for a revenue district that did not levy a tax or assessment during the preceding year unless the board receives on or before January 1 preceding the fiscal year for which the levy is to be made a notice in writing of the proposed levy. The estimate shall be regarded as establishing the total assessed value of state-assessed property in the county and each revenue district in the county for the purpose of determining tax rates, subject only to those changes as may be transmitted on or prior to July 31. All information furnished pursuant to this section is at all times during office hours open to inspection by any interested person or entity.

(b) Notwithstanding subdivision (a), in making the estimate referred to in subdivision (a), the unitary value and nonunitary value of the property of regulated railway companies, ~~and~~ property subject to subdivisions (i), (j), and (k) of Section 100, and property subject to Section 100.9 shall be allocated by revenue district.

Section 756 of the Revenue and Taxation Code is amended to read:

756. (a) On or before July 31, the board shall transmit to each county auditor a roll showing the unitary and operating nonunitary assessments made by the board in the county and the nonoperating nonunitary assessments made by the board in each city and revenue district in the county; provided, however, that the roll need not show the assessments made by the board in a revenue district which did not levy a tax or assessment during the preceding year. The roll is at all times, during office hours, open to the inspection of any person representing any taxing agency or revenue district, or any district described in Section 2131. If the roll does not show the assessments in a revenue district as herein provided and a notice of a proposed levy is furnished the board in writing, on or before January 1 preceding the fiscal year for which the levy is to be made, the board shall furnish an estimate of the total assessed value of nonoperating nonunitary state-assessed property in the district and shall transmit thereafter to the county auditor a statement of roll change showing the nonoperating nonunitary assessments made by the board in the district.

(b) Notwithstanding subdivision (a), in making the roll referred to in subdivision (a), the unitary value and nonunitary value of the property of regulated railway companies, ~~and~~ property subject to subdivisions (i), (j), and (k) of Section 100, and property subject to Section 100.9 shall be enrolled by revenue district.