



**STATE BOARD OF EQUALIZATION**

1020 N STREET, SACRAMENTO, CALIFORNIA  
(P.O. BOX 1799, SACRAMENTO, CALIFORNIA 95808)

(916) 445-4982

GEORGE R. REILLY  
First District, San Francisco  
ERNEST J. DRONENBURG, JR.  
Second District, San Diego

WILLIAM M. BENNETT  
Third District, San Rafael

RICHARD NEVINS  
Fourth District, Pasadena

KENNETH CORY  
Controller, Sacramento

DOUGLAS D. BELL  
Executive Secretary

No. 80/98

June 25, 1980

TO COUNTY ASSESSORS:

SUMMARY OF PROPOSED LEGISLATION NUMBER 16

In compliance with your Legislative Committee's proposal that you be informed of the various property tax bills and amendments being proposed by the State Legislature, we submit to you those measures introduced or amended recently that have reached our office.

We are including only those bills or constitutional amendments that we feel are of importance to you as an assessor. Bills concerning the functions of the tax collector, auditor, and other county or special district officials will usually be excluded.

The format used to summarize the legislative bills will include a brief analysis of the bill, action taken, and sections affected. An \* following the bill number indicates an amended version of a previously reviewed bill.

The following bill has been signed by the Governor since our last Summary of Proposed Legislation letter:

AB 2091 - Managers - Chapter 172 Statutes of 1980  
Veterans' exemption

Copies of bills and amendments introduced may be obtained by placing orders with the Legislative Bill Room (State Capitol, Room 1149, Sacramento, 95814).

Sincerely,

Verne Walton, Chief  
Assessment Standards Division

VW:sk  
Enclosures

ACA 3\*

Author: Assemblyman Knox, et al.

Action: Amended in Senate

Date: June 12, 1980

Affected Reference: Adds Subdivisions (c), (d), and (e) to Section 2 of Article XIII A of the Constitution

This measure would provide that for purposes of this constitutional provision, "change of ownership" shall not include the acquisition of real property as a replacement for comparable property if the person acquiring the real property has been displaced from the property replaced by eminent domain proceedings, by acquisition by a governmental agency, or governmental action which has resulted in a judgment of inverse condemnation. It would also provide that the term "change of ownership" shall not include the acquisition of real property as a replacement for similar property which was damaged or destroyed as a result of a disaster. It would also provide that the Legislature shall define the term "disaster."

SB 1422\*

Author: Senator Presley

Action: Amended in Assembly

Date: June 9, 1980

Affected Reference: Various sections of various codes

This bill would revise Chapters 1160 and 1180 of the 1979 Statutes that provided for a system of property taxation to be applied to certain mobile-homes. This bill would provide for the assessment and taxation of certain mobilehomes in the same manner as conventional homes.

AB 2915\*

Author: Assemblyman Gage

Action: Amended in Senate

Date: June 11, 1980

Affected Reference: Various sections of various codes

This bill makes various technical changes in titling, registration, and taxation of mobilehomes.

SB 1306\*

Author: Senator Alquist, et al.

Action: Amended in Assembly

Date: June 16, 1980

Affected Reference: Adds Section 73 to the Revenue and Taxation Code

This bill would provide that for purposes of Article XIII A of the Constitution, "newly constructed" shall not include the construction or addition of any solar energy system which is used for domestic purposes. In the case of solar swimming pool heaters, "new construction" shall not include the increment of cost in excess of the cost of a comparable conventional fossil fuel heating system.

SB 1306 (Contd.)

This bill would not become effective until Senate Constitutional Amendment 28 is adopted by the voters and shall apply only to lien dates for fiscal years commencing 1981 through 1985, inclusive.

AB 2283\*

Author: Assemblyman Thurman, et al.

Action: Amended in Senate

Date: June 18, 1980

Affected Reference: Amends Section 423 of the Revenue and Taxation Code

This bill would provide that a city council or county board of supervisors may provide that the valuation to be applied to enforceably restricted land shall not exceed a percentage of the valuation that would have resulted by calculation under Section 110.1 of the Revenue and Taxation Code, as though such property was not subject to an enforceable restriction in the base year. Such percentage could not be less than 75 percent for specified types of land, and 90 percent for other types of land.

SB 1747\*

Author: Senator Ayala

Action: Amended in Assembly

Date: June 10, 1980

Affected Reference: Amends Section 51231 and 51238, and adds Section 51282.3 to the Government Code

This bill would provide that agricultural laborer housing facilities shall be determined to be a compatible use within any agricultural preserve unless the board or council finds to the contrary. It would also provide a procedure for the cancellation of any contract by the landowner if the board or council has determined that agricultural laborer housing is not a compatible use on the contracted lands.

SB 1414\*

Author: Senator Keene, et al.

Action: Amended in Assembly

Date: June 17, 1980

Affected Reference: Amends Sections 155.20, 2612, and 2621 of the Revenue and Taxation Code, and amends Section 2 of Chapter 49 of the Statutes of 1979

This bill would permit a board of supervisors to exempt all real property of less than \$1,500 full or base year value from property taxes where tax revenues are less than the costs of assessing and collecting such tax. This bill would also extend such permissible exemption to personal property.

SB 1640\*

Author: Senator Speraw

Action: Amended in Assembly

Date: June 17, 1980

Affected Reference: Adds Section 2188.7 to the Revenue and Taxation Code

This bill would provide that whenever a community apartment project, stock cooperative, limited equity housing cooperative, or other housing cooperative requests a separate assessment, the assessor shall separately assess the individual interests held by the owners of the project or the shareholders of the corporation if certain conditions are met.

SB 1834\*

Author: Senator Marks

Action: Amended in Assembly

Date: June 16, 1980

Affected Reference: Repeals Sections 2 and 5 of Chapter 1405 of the Statutes of 1974

Existing law exempts from property taxation certain cargo containers principally used in the transportation of cargo by vessels in ocean commerce. Such exemption is operative from the lien date in 1975 to the lien date in 1980, inclusive, and after that date shall have no further force or effect. This bill would make such exemption permanent.

ACA 38\*

Author: Assemblyman Knox

Action: Amended in Assembly

Date: June 12, 1980

Affected Reference: Amends and adds various section to the Constitution

This measure would authorize the Legislature to establish a state tax court to adjudicate cases arising under the taxing statutes of this state and to equalize the valuation of taxable property in the counties for purposes of equalization. It would also authorize the Legislature to transfer such equalization duties to a state board of tax appeals.

SB 1260\*

Author: Senator Sieroty

Action: Amended in Assembly

Date: June 12, 1980

Affected Reference: Amends, adds, repeals various sections of the Revenue and Taxation Code - Urgency Statute

Amends Sections 61 and 64 of the Revenue and Taxation Code relating to transactions that are included as a change in ownership.

Amends Section 62 of the Revenue and Taxation Code as added by Chapter 242 of the Statutes of 1979 relating to transactions that are excluded as a change in ownership.

SB 1260 (Contd.)

Repeals and adds Section 65 of the Revenue and Taxation Code relating to a change in ownership involving a joint tenancy.

Adds Section 65.1 to the Revenue and Taxation Code relating to the reappraisal of property when undivided interests in real property are purchased or changes ownership or when a unit or lot within a cooperative housing corporation, community apartment project, condominium, planned unit development, shopping center, industrial park, or other residential, commercial, or industrial land subdivision complex with common areas or facilities are purchased or changes ownership.

Amends Section 71 of the Revenue and Taxation Code defining the date of completion for new construction.

Amends Section 155.2 of the Revenue and Taxation Code relating to extension of time for completing the assessment roll by the assessor.

Amends Section 170 of the Revenue and Taxation Code relating to the application for and the reassessment of property damaged or destroyed in a misfortune or calamity.

Amends Section 402.5 of the Revenue and Taxation Code relating to comparable sales and defines "near in time to the date of valuation" as not including any sale more than 90 days after the lien date.

Amends Section 405.5 of the Revenue and Taxation Code to require the assessor to periodically appraise all property not subject to the provisions of Article XIII A of the Constitution.

Amends Section 480 of the Revenue and Taxation Code relating to transfers of mobilehomes subject to property taxation and the filing of a change in ownership statement.

Adds Section 480.2 of the Revenue and Taxation Code relating to a change in ownership occasioned by death.

Amends Section 482 of the Revenue and Taxation Code relating to requests for a change in ownership statement.

Adds Section 482.1 relating to the penalty for failure to file a change in ownership statement.

Amends Section 531.2 of the Revenue and Taxation Code relating to real property escaping assessment resulting from unrecorded changes in ownership.

Adds Section 619.15 to the Revenue and Taxation Code which would authorize the county assessor in counties of over 4,000,000 population, upon concurrence of the tax collector, to notify an assessee of the possibility of a reduction in the assessment due to the enactment of Chapters 242, 1161, or 1188 of the Statutes of 1979 and would authorize the assessee to defer payment of taxes based on such assessment for a specified period. Such provision

SB 1260 (Contd.)

would be repealed on June 30, 1982, unless a later enacted statute deletes or extends such date.

Repeals and adds Section 1641 of the Revenue and Taxation Code relating to recommendations of an assessment hearing officer.

Amends Section 4836 of the Revenue and Taxation Code relating to notifying assessee when correction involves an increase in taxes.

Adds Section 4845 to the Revenue and Taxation Code relating to corrections to 1980-81 roll and the refunding of taxes in counties of over 4,000,000 population.

Amends Section 26453c of the Revenue and Taxation Code requiring the Franchise Tax Board to assist in the determination of whether a change in control (as defined in Section 64(c) of the Revenue and Taxation Code) has occurred.

AB 2770\*

Author: Assemblyman Dennie Brown, et al.

Action: Amended in Senate

Date: June 17, 1980

Affected Reference: Amends Sections 206, 214, 214.4, 251, 254, 254.5, 255, and 23774, and adds Sections 256, 256.1 and 23704.7 to the Revenue and Taxation Code

Existing law requires churches to submit to the assessor annually an affidavit giving specified information with respect to their tax exempt status. This bill would modify such requirements as specified.

This bill would further cancel delinquent taxes, for specified taxable years, of churches which failed to file claim for exemptions due to compelling religious convictions.

AB 2212\*

Author: Assemblyman Knox

Action: Amended in Senate

Date: June 17, 1980

Affected Reference: Amends Section 99 of the Revenue and Taxation Code - Urgency Statute

This legislation would alter the determination of the amount of property tax revenues to newly formed districts or to annexations to existing districts.

ACA 83\*

Author: Assemblyman Lockyer

Action: Amended in Senate

Date: June 17, 1980

Affected Reference: Adds Section 2.5 to Article XIII of the Constitution

ACA 83 (Contd.)

This measure would authorize the Legislature to provide for a yield tax system for taxing oil, gas, and other hydrocarbons, in lieu of property taxation thereof, based on gross income at the time and place of extraction, as defined by the Legislature. The yield tax rate on oil shall not exceed 3 percent. The yield tax rate on gas shall not exceed 6 percent.

SB 180\*

Author: Senator Marks  
Action: Amended in Assembly  
Date: June 17, 1980  
Affected Reference: Various sections of various codes

This bill provides that the county assessor shall provide to the county auditor, within 30 days of the notice of filing a report which identifies the assessed valuations for a territory subject to jurisdictional change and the tax rate area or areas in which the territory exists.

AB 3035\*

Author: Assemblyman Wyman  
Action: Amended in Senate  
Date: June 18, 1980  
Affected Reference: Adds Section 66412.7 to the Government Code

This bill would provide that a subdivision shall be deemed established for purposes of the Subdivision Map Act upon recording of the final or parcel map or, with respect to subdivisions for which application was made for a map or an exemption from map requirements, prior to March 4, 1972, upon the making of such application (provided the map or exemption was subsequently approved by the city or county).

SB 872\*

Author: Senator Schmitz  
Action: Amended in Assembly  
Date: June 17, 1980  
Affected Reference: Amends Section 35448 of the Government Code - Urgency Statute

This bill would permit any improvement district which is formed within a California water district to provide water, sewer, or reclaimed water service, the formation of which is completed by March 1, 1980, to be effective for assessment and taxation purposes for the 1980-81 fiscal year if the required statement and map or plat is filed on or before March 1, 1980.

The bill would also permit any annexation to a city which became effective on March 18, 1980, with the approval by the city legislative body of a specified agreement, to be effective for assessment and taxation purposes for the 1980-81 fiscal year if the required statement and map or plat is filed with the State Board of Equalization on or before March 30, 1980.

AB 2136\*

Author: Assemblyman Dennis Brown, et al.

Action: Amended in Senate

Date: June 11, 1980

Affected Reference: Amends Sections 862 and 17204 of the Revenue and Taxation Code

Under existing law certain property is assessed for property tax purposes by the State Board of Equalization and such state assessees are required to file annual statements of their property holdings. To the extent that property escapes assessment because of inaccuracies in such statements, the board is required to apply a 10 percent penalty to the assessment, regardless of the reason for the inaccuracy.

This bill would permit the board, upon application by the assessee, to waive the penalty if good cause for that inaccuracy can be shown.

SB 1913\*

Author: Senator Sieroty

Action: Amended in Assembly

Date: June 17, 1980

Affected Reference: Amends Sections 744 and 745 of the Revenue and Taxation Code

Existing law requires the State Board of Equalization to value and assess specified types of property. This bill would provide that decisions of the board on petitions for reassessment of both unitary and nonunitary property shall be completed by October 30 and that when an assessee's property is found to be different than the value originally adopted by the board, the amounts of the corrected value may be reflected on the roll for the fiscal year in which the change is made or reflected in the assessment for the respectively succeeding year with adjustments made for interest.

AB 2544\*

Author: Assemblyman Mello

Action: Amended in Senate

Date: June 9, 1980

Affected Reference: Amends various sections of the Revenue and Taxation Code

This bill would revise the method and procedures for allocating the revenues from the timber yield tax.