



STATE BOARD OF EQUALIZATION

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Executive Secretary

No. 85/89

September 5, 1985

TO COUNTY ASSESSORS:

SUMMARY OF PROPOSED LEGISLATION NUMBER 6

Following are brief summaries of legislation introduced, or amended during the 1984-85 regular session of the Legislature or sent to or signed by the Governor. These measures relate to the Revenue and Taxation Code or otherwise to the assessing function.

AB 263

Author: Assembly Member Jones
Action: Signed by the Governor
Date: July 9, 1985
Affected Code Sections: Amends Sections 408, 408.2, 19052, and 26072 of the Revenue and Taxation Code.

This bill requires the assessor to provide information, abstracts, or access to records to employees of the Franchise Tax Board for tax administration purposes only, as specified. It also makes confidential the preliminary change in ownership statement.

AB 271

Author: Assembly Member Naylor, et al
Action: Amended in Assembly
Date: May 14, 1985

As amended, this bill no longer concerns property tax matters and we will no longer be following it unless amended again to include property tax matters.

AB 312

Author: Assembly Member Klehs
Action: Signed by Governor as Chapter 186
Date: July 9, 1985
Affected Code Sections: Amends Sections 11126 and 65913.5 of the Government Code and amends and adds various sections to the Revenue and Taxation Code.

This is a "housekeeping" measure sponsored by the State Board of Equalization to make several technical and clarifying changes to the laws relative to property taxation. Areas covered include transferred mineral rights, immediate property tax relief to persons replacing property taken by governmental action, late-filing for the disabled veterans' exemption, and changes to the Timber Yield Tax Law.

AB 467

Author: Assembly Members Hannigan and Filante
Action: Proposed Conference Report No. 1
Date: July 17, 1985 - Since chaptered - full analysis to follow
Affected Code Sections: Amends Sections 51, 75.10, 75.70 and 20505 and adds Section 75.16 to the Revenue and Taxation Code.

This bill would provide that full cash value as defined in Section 110 of the Revenue and Taxation Code must take into account the removal of property. Further, for purpose of Chapter 3.5 (beginning with Section 75) of the same code, "actual physical new construction" would include the removal of a structure from the land. In addition, for the purpose of computing the value of the fixtures added to and subtracted from real property pursuant to Section 75.15, the value of a removed fixture would be included in the computation, whether or not the removal is associated with other new construction.

AB 1050

Author: Assembly Member Farr
Action: Amended in Senate
Date: July 1, 1985
Affected Code Sections: Amends Sections 51104, 51113, 51113.5, and 51119 of, and adds Section 51113.1 to the Government Code.

This bill would revise the circumstances under which a county is required to rezone land as timberland production. The bill would also authorize counties for which additional local need regulations have been adopted by the State Board of Forestry to zone as timberland production, as revised, on parcels for which a timber harvesting plan has been approved.

AB 1350

Author: Assembly Members Cortese, et al
Action: Amended in Senate
Date: July 3, 1985
Affected Code Section: Amends Section 75.31 of the Revenue and Taxation Code (and other state codes).

Existing law requires the assessor to notify an assessee of a supplemental assessment and that the assessee has the right to appeal the supplemental assessment and the appeal must be received within 60 days of the date that the notice was received. This bill would change the time requirement to say that the assessee must file the appeal within 60 days of receipt of the supplemental assessment notice.

AB 1475

Author: Assembly Member Hill
Action: Amended in Assembly
Date: June 3, 1985
Affected Code Sections: Amends Sections 104, 107, and 23154 of, and adds Section 235 to the Revenue and Taxation Code.

This bill would exempt cable television special franchises from property taxation and would exclude from the definition of real property for property tax purposes the possession of, ownership of, or right to the possession of land when coupled with or incidental to the grant of cable television special franchises.

AB 1678

Author: Assembly Member Sher
Action: Amended in Senate
Date: July 18, 1985
Affected Code Sections: Amends Sections 51222 and 66474.4 of the Government Code and Section 428 of the Revenue and Taxation Code.

Current law prohibits a legislative body from approving a proposed subdivision of property subject to a williamson Act contract if the resulting parcels would be too small to retain their agricultural use. This bill would add to exceptions to this rule by providing that it does not apply if a written notice of nonrenewal has been filed on or after March 7, 1985 and as a result of the notice no more than three years remain on the contract. The bill would also add acreage limitations on residential sites that are excluded from the provisions open space statutes.

AB 1807

Author: Assembly Member Harris
Action: Signed by Governor
Date: June 26, 1985
Affected Code Sections: Amends Sections 75.72 and 480.4 and adds Section 480.5 of the Revenue and Taxation Code and other state codes.

This is minor word changing for clarification of established code sections dealing with delinquent supplemental roll collections and leased exempt property and does not make any substantive change in the law.

AB 2141

Author: Assembly Member Klehs
Action: Amended in the Assembly
Date: June 11, 1985
Affected Code Sections: Amends Sections 218 and 17053.5 of the Revenue and Taxation Code.

This bill would increase the homeowners' exemption to the greater of \$7,000 of the full value of a dwelling or 20 percent of the full cash value. The maximum exemption amount would be \$14,000 for dwellings situated on income-producing property and \$50,000 for all other dwellings. Renters income tax credit would be the larger of present amounts or two percent of the amount of annual rent paid.

AB 2528

Author: Assembly Member Elder
Action: Amended in Assembly
Date: May 9, 1985
Affected Code Sections: Amends Sections 61 and 62 of the Revenue and Taxation Code.

This bill would provide that a change in ownership shall include any transfer whose terms reserve to the transferor an estate for years.

As amended, the bill also provides that a change in ownership shall include a sale of an interest in real property coupled with a contemporaneous lease of property back to the transferor for a term of less than 35 years.

AB 2571

Author: Assembly Member Floyd
Action: Introduced in the Assembly
Date: July 1, 1985
Affected Code Sections: Repeals Chapter 3.5 (commencing with Section 75 of Part 0.5 of Division 1) of the Revenue and Taxation Code.

This bill would repeal the supplemental assessment requirements contingent on voter passage of Assembly Constitutional Amendment 33.

SB 434

Author: Senator Craven
Action: Amended in Assembly
Date: May 16, 1985 - Since chaptered - full analysis to follow
Affected Code Sections: Amends Section 10760 of and repeals Article 4 of Chapter 3 of Part 5 of Division 2 of Revenue and Taxation Code.

This bill provides that mobilehomes not enrolled on the tax roll prior to October 1, 1984 shall not be subject to property taxation as a condition of reinstatement to the license fee.

September 5, 1985

SB 917

Author: Senator Vuich

Action: Amended in Senate

Date: June 17, 1985

Affected Code Sections: Amends Sections 75.11, 75.12, 75.15, 75.18, 75.31, 75.41, 722 and 2192 of the Revenue and Taxation Code.

This bill would change the lien date from March 1 to January 1. This bill specifies that annual adjustments in the full cash value base of property be made in the first year following the lien date change for the 10 month period as if it were 12 months. This bill would apply (as amended) to the 1988 lien date and all subsequent lien dates and to property taxes levied for 1988-89 fiscal year and fiscal years thereafter.

SB 1467

Authors: Senators Montoya, McCorquodale and Petris

Action: Introduced in Senate

Date: June 20, 1985

Affected Code Section: Amends Section 23182 of the Revenue and Taxation Code.

This bill establishes computers owned by banks and financial corporations as assessable and subject to property tax.

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

Sincerely,

Verne Walton, Chief
Assessment Standards DivisionVW:wpc
Enclosures
AL-06-1419A