

Amend Revenue and Taxation Code Section 278 of the Property Tax Law to specify that the disabled veterans' exemption notice shall be mailed annually, prior to the lien date, to claimants who received the exemption in the immediately preceding year. (Housekeeping)

Source: Property and Special Taxes Department

Existing Law

The disabled veterans' exemption only requires low-income filers to annually file before February 15. For the basic disabled veterans' exemption, there is only a one-time filing. Thus current law requires the assessor to mail an annual notice to all recipients of the disabled veterans' exemption in the prior year setting forth the eligibility requirements of the exemption and the circumstances under which a property becomes ineligible. The notification must be returned by June 30 of the following year property became ineligible to avoid penalties and interest. Current statute does not provide a more specific time frame as to when this notice shall be mailed to the claimants.

Sections 254.5(d), 256, 256.6, and 257.1 relate to change in ineligibility notices for church, cemetery, religious, and certain welfare exemptions. They all specifically state that assessors shall, *prior to lien date*, mail a notice to every claimant who received the exemption in the immediately preceding fiscal year. The assessors' "calendar of important dates" in the Property Taxes Law Guide indicates the mailing of the *Disabled Veterans' Change in Eligibility Form* to be anytime between January 1 and December 31.

In addition, current statutes require the assessor to mail out a change in eligibility notice to all disabled veterans who received the exemption in the immediately preceding year. However, the exemption also is available to the spouse of a deceased veteran. Thus, the requirement to mail a notice to all disabled veterans should instead provide that the notice be mailed to all claimants for the disabled veterans' exemption.

This Proposal

This proposal would specify that the assessor shall mail BOE-261-GNT, Change of Eligibility Report, *prior to the lien date*, similar to the other exemptions mentioned previously. Since claimants are required to notify the assessor on or before June 30 of year following the year the property became ineligible, this amendment would allow the taxpayer time to return the notice, if required, in a timely fashion to avoid any penalties. In addition, the requirement to mail a notice to all disabled veterans should instead provide that the notice be mailed to all claimants for the disabled veterans' exemption.

Section 278 of the Revenue and Taxation Code is amended to read:

278. ~~For the 1977-78 fiscal year and thereafter,~~ Prior to the lien date, the county assessors shall ~~each year~~ annually mail a notice to all ~~disabled veterans claimants~~ who received the disabled veterans' exemption in the immediately preceding year, except where such person has transferred title in the property since the immediately preceding lien date. The notice shall inform the taxpayer of the requirements that must be met in order to be eligible for the exemption, of the penalties if the taxpayer allows the exemption to continue when he is not eligible for the exemption, and of his duty to inform the assessor when he is no longer eligible for the exemption.