



**BOARD OF EQUALIZATION
LEGISLATIVE COMMITTEE MEETING AGENDA
HONORABLE JUDY CHU, CHAIRWOMAN
450 N STREET, SACRAMENTO, ROOM 121
JANUARY 31, 2008 9:30 AM**

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I. 2008 Legislative Proposals

PROPERTY TAXES

2008 Legislative Proposals

Set forth below is a suggestion for Property Taxes legislation to be sponsored by the Board in the second year of the 2007-2008 Legislative Session (see attachments). Additional suggestions will be included on the agenda for March 2008.

**Suggestion
Number**

- 1-4** **Amends Sections 480.3 and 480.4 of the Revenue and Taxation Code to remove the specific detail of the Preliminary Change in Ownership Report from statute and instead authorize the Board to prescribe the form after consultation with the California Assessors' Association and interested parties.**
- C**

Source: Honorable Betty Yee

Revenue Impact: None.

**Committee Recommendation: Motion to Adopt - Passed (5-0)
(Consent)**

- 1-5** **Amend Government Code Section 15606.5 and Revenue and Taxation Code Sections 670 and 671 to allow the Board to deliver online continuing education training to certificated property tax appraisers through established web based systems maintained by community colleges that charge fees for online courses.**
- C**

Source: Property and Special Taxes Department

Revenue Impact: None.

**Committee Recommendation: Motion to Adopt - Passed (5-0)
(Consent)**

1-6 Amend Revenue and Taxation Code Sections 69 and 69.3 to treat land and improvements as separate units in meeting the "substantially damaged or destroyed" threshold of 50% for purposes of qualifying for disaster relief via a base year value transfer.

Source: Property and Special Taxes Department

Revenue Impact: Negligible.

Committee Recommendation: Motion to Adopt - Passed (5-0)

1-7 Amend Revenue and Taxation Code Section 279 to (1) expressly address the continuity of the disabled veterans' exemption on a home that had been receiving the exemption but temporarily uninhabitable due to damage and (2) provide that in governor-proclaimed disasters in which a home is completely destroyed, the veteran may retain the exemption on the property while rebuilding.

Source: Property and Special Taxes Department

Revenue Impact: Negligible.

Committee Recommendation: Motion to Adopt - Passed (5-0)

1-8 Amend Revenue and Taxation Code Section 214.6 to clarify the filing procedures for obtaining a property tax exemption on property owned by a church or a nonprofit organization that is leased to a public school.

C

Source: Property and Special Taxes Department

Revenue Impact: None.

**Committee Recommendation: Motion to Adopt - Passed (5-0)
(Consent)**

BUSINESS TAXES SALES AND USE TAXES

2008 Legislative Proposals

Set forth below are suggestions for Sales and Use Taxes legislation to be sponsored by the Board in the second year of the 2007-2008 Legislative Session (see attachments). Additional suggestions will be included on the agenda for March 2008.

Suggestion Number

- 3-3 Add Section 6487.06 to the Revenue and Taxation Code to reduce the period of time for which a determination may be mailed from eight years to three years when unregistered in-state purchasers, as defined, voluntarily report to the Board purchases subject to use tax.**

Source: Sales and Use Tax Department

Revenue Impact: \$2.5 million state and local annual increase.

Committee Recommendation: Motion to Adopt – Passed (5-0)

Staff was also directed to add sunset date listing page from law guides to annual memo requesting new legislative proposals and to add a discussion item to all future November Legislative Committee agendas to discuss statutes set to sunset within two years.

- 3-6 Add Section 6593.7 to the Revenue and Taxation Code to prohibit the accrual of interest on unpaid sales and use tax liabilities during the pendency of a Chapter 7 bankruptcy proceeding of a small business, as defined.**

Source: Honorable Michelle Steel

Revenue Impact: \$1.6 million state and local annual loss

PULLED

II. SECURE AND AFFORDABLE HEALTH CARE ACT OF 2008

Discussion of Implementation Issues regarding proposed Tobacco Products Excise Tax and related issues and direction to staff.

PULLED – Initiative is being withdrawn.

III. WOMEN, INFANTS, AND CHILDREN (WIC) PROGRAM

Discussion and Recommendation for Board Action:

Report on discussions with California Department of Public Health regarding its WIC program guidelines that require retailers of WIC-approved infant formula to purchase the formula from suppliers that hold a valid seller's permit.

Committee Recommendation: Discussion with direction to staff to reinstate the sales tax permit and monitor the situation on an ongoing basis to ascertain whether more than one taxpayer is impacted.

C – Consent

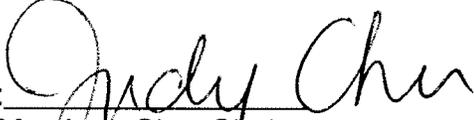
**BOARD OF EQUALIZATION
BOARD COMMITTEE ON LEGISLATION
January 31, 2008**

**Attending: Honorable Judy Chu, Chair - Honorable Betty T. Yee, Honorable Bill Leonard, Honorable Michelle Steel,
and Marcy Jo Mandel**

<u>Suggestion No.</u>	<u>Chu</u>	<u>Yee</u>	<u>Leonard</u>	<u>Steel</u>	<u>Chiang/ Mandel</u>	<u>Committee Recommendation</u>
Property Taxes						
1-4			CONSENT			Motion to Adopt Passed (5-0)
1-5			CONSENT			Motion to Adopt Passed (5-0)
1-6	Y	Y	Y	Y	Y	Motion to Adopt Passed (5-0)
1-7	Y	Y	Y	Y	Y	Motion to Adopt Passed (5-0)

<u>Suggestion No.</u>	<u>Chu</u>	<u>Yee</u>	<u>Leonard</u>	<u>Steel</u>	<u>Chiang/Mandel</u>	<u>Committee Recommendation</u>	
1-8	CONSENT						Motion to Adopt Passed (5-0)
Business Taxes Sales and Use Taxes							
3-3	Y	Y	Y	Y	Y	Motion to Adopt Passed (5-0) Staff was also directed to add sunset date listing page from law guides to annual memo requesting new legislative proposals and to add a discussion item to all future November Legislative Committee agendas to discuss statutes set to sunset within two years.	
3-6	PULLED						

<u>Suggestion No.</u>	<u>Chu</u>	<u>Yee</u>	<u>Leonard</u>	<u>Steel</u>	<u>Chiang/Mandel</u>	<u>Committee Recommendation</u>
<p>II. Secure and Affordable Health Care Act of 2008</p> <p>PULLED – Initiative is being withdrawn.</p>						
<p>III. Women, Infants, and Childrens (WIC) Program</p>						
	Y	Y	Y	Y	Y	<p>Motion to Adopt Passed (5-0)</p> <p>Committee Recommendation: Discussion with direction to staff to reinstate the sales tax permit and monitor the situation on an ongoing basis to ascertain whether more than one taxpayer is impacted.</p>

Approved: 
Ms. Judy Chu, Chair
Board Legislative Committee


Ramon J. Hirsig, Executive Director

BOARD APPROVED

at the January 31, 2008 Board Meeting


Diane Olson, Chief
Board Proceedings Division