



STATE BOARD OF EQUALIZATION

Assessment Standards Division
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August 11, 1995

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Honorable Glenn E. Gray
Ventura County Assessor
Government Center
800 South Victoria Avenue
Ventura, CA 93009

Attention: Mr. Daryl R. Brown

Dear Daryl:

This is in response to your inquiry regarding the exempt/taxable status of the Black Gold Cooperative Library System, a network of public libraries operating under a joint powers agreement.

It is our view that the personal property owned by the member governmental entities, or by the system itself, and which is used for public library purposes would be nontaxable as property belonging to government. The leased real property used for public library purposes would appear to qualify for the library exemption provided by Article XIII, Section 3(d) of the California Constitution, and Section 202(a)(2) of the Revenue and Taxation Code, provided the benefit of the exemption inures to the library system as required by Section 202.2 of the Revenue and Taxation Code.

To receive the exemption on the real property, either the system can file the library exemption claim (AH 268B) or the lessor can file the lessor's exemption claim (AH 263). As provided by Section 202.2, if the lease agreement specifically provides that rents have been reduced in consideration of the exemption, the exemption can be enrolled when the claim is filed. If the lease is silent as to the exemption, the taxes should be enrolled to the owner and after paid, activate the exemption claim and refund the taxes to the library system.

We trust we have adequately responded to your inquiry. If you have further questions, please let us know.

Sincerely,

William A. Minor
Staff Services Analyst
Assessment Standards Division

WAM: rfs

bc: Mr. Richard Ochsner
Mr. James Barga