



**BOARD OF EQUALIZATION
LEGISLATIVE COMMITTEE MEETING AGENDA
HONORABLE FIONA MA, CHAIR
450 N STREET, SACRAMENTO, ROOM 121
JANUARY 21, 2015**

----- Committee Report and Action Summary -----

2015 LEGISLATIVE PROPOSALS

Set forth below are suggestions for legislation to be sponsored by the BOE in the first year of the 2015-16 Legislative Session (see attachments).

PROPERTY TAXES

**Suggestion
Number**

[1-5](#) Amend Revenue and Taxation Code Section 401.10 to extend for five years the assessment valuation methodology for intercounty pipeline rights-of-way, which are otherwise scheduled to sunset.

Source: Property and Special Taxes Department

Revenue Impact: None

COMMITTEE RECOMMENDATION: ADOPT – Passed (5-0)

[1-6](#) Amend Revenue and Taxation Code Sections 11292 and 11293 and repeal Sections 11206 and 11294 of the Private Railroad Car Tax Law to change the method of measuring presence in California from car days to mileage.

Source: Honorable George Runner

Revenue Impact: Annual \$1.2 million revenue loss

COMMITTEE RECOMMENDATION: ADOPT – Passed (5-0)

BUSINESS TAXES

Suggestion Number

[2-1](#)

PULLED

~~Add Government Code Section 12419.14 and Revenue and Taxation Code Section 6836 to authorize the BOE to enter into a reciprocal agreement with the United States Department of the Treasury's Bureau of the Fiscal Service (BFS) to collect delinquent tax debt owed to the BOE by offset of federal vendor payments. In return, allow the federal government to collect delinquent federal non-tax debt by offset of BOE tax refund and vendor payments.~~

~~Source: Sales and Use Tax Department~~

~~Revenue Impact: Annual accelerated revenue of \$6.3 million related to state and local sales tax collection~~

BUSINESS TAXES SALES AND USE TAXES

Suggestion Number

[3-1](#)

PULLED

~~Add Revenue and Taxation Section 6278 to the Sales and Use Tax Law to impose sales tax on a person's retail sales of vehicles, when the Department of Motor Vehicles determines that person failed to hold a dealer's license required under the Vehicle Code at the time of sale.~~

~~Source: Sales and Use Tax Department~~

~~Revenue Impact: Unknown revenue increase from retailer reporting requirement~~

BUSINESS TAXES SPECIAL TAXES AND FEES

Suggestion Number

[4-1](#) Amend Government Code Section 8670.40 to (1) clarify who owes and pays the oil spill prevention fee, (2) exclude from fee imposition and collection petroleum products derived from fee-paid crude oil, and (3) delete the unnecessary oil pipeline operator registration requirement. This proposal also clarifies definitions in the Revenue and Taxation Code.(Housekeeping)

Source: Property and Special Taxes Department

Revenue Impact: None

COMMITTEE RECOMMENDATION: ADOPT – Passed (5-0)

[4-2](#) ~~Amend Revenue and Taxation Code Sections 7510, 8707, 8714 and 60185 to increase the reinstatement fee on motor vehicle fuel, use fuel and diesel fuel accounts from \$50 to \$100 to adjust for inflation and be consistent with both the Sales and Use Tax Law and the Cigarette and Tobacco Products Licensing Act Law.~~

PULLED

~~Source: Property and Special Taxes Department~~

~~Revenue Impact: Negligible~~

[4-3](#) ~~Amend Revenue and Taxation Code Sections 7360, 8651, and 60050 of the Motor Vehicle Fuel Tax Law, Use Fuel Tax Law, and Diesel Fuel Tax Law, respectively, to specify the effective dates related to state fuel tax rates when triggered by a reduction or elimination of federal fuel taxes.~~ (Housekeeping)

PULLED

~~Source: Property and Special Taxes Department~~

~~Revenue Impact: None~~

[4-4](#) Amend Revenue and Taxation Code Sections 41030 and 41032 to change the notification date and method of publicizing the Emergency Telephone Users (911) Surcharge Act rate. Amend Section 42010 to make conforming seller debt provision changes to the Prepaid Mobile Telephony Services (MTS) Collection Act. (Housekeeping)

Source: Legal Department and Property and Special Taxes Department

Revenue Impact: None

COMMITTEE RECOMMENDATION: ADOPT – Passed (5-0)

**BOARD OF EQUALIZATION
BOARD COMMITTEE ON LEGISLATION
January 21, 2015**

Attending: Honorable Fiona Ma, Chair, Honorable George Runner, Honorable Diane Harkey, and Yvette Stowers

<u>Suggestion No.</u>	<u>Ma</u>	<u>Runner</u>	<u>Horton</u>	<u>Harkey</u>	<u>Yee/Stowers</u>	<u>Committee Recommendation</u>
PROPERTY TAXES						
1-5	Y	Y	Y	Y	Y	ADOPT (5-0)
1-6	Y	Y	Y	Y	Y	ADOPT (5-0)
BUSINESS TAXES						
2-1	PULLED					
BUSINESS TAXES SALES AND USE TAXES						
3-1	PULLED					

<u>Suggestion No.</u>	<u>Ma</u>	<u>Runner</u>	<u>Horton</u>	<u>Harkey</u>	<u>Yee/Stowers</u>	<u>Committee Recommendation</u>
BUSINESS TAXES						
SPECIAL TAXES AND FEES						
4-1	Y	Y	Y	Y	Y	ADOPT (5-0)
4-2	PULLED					
4-3	PULLED					
4-4	Y	Y	Y	Y	Y	ADOPT (5-0)

Approved: _____


Ms. Fiona Ma, Chair
Board Member
Board Legislative Committee


Cynthia Bridges, Executive Director

BOARD APPROVED


at the January 21, 2015, Board Meeting