



**STATE BOARD OF EQUALIZATION**

Assessment Standards Division  
450 N Street, MIC: 64, Sacramento, California  
(P. O. Box 942879, Sacramento, CA 94279-0064)

Telephone: (916) 445-4982  
FAX (916) 323-8765

JOHAN KLEHS  
First District, Hayward

DEAN F ANDAL  
Second District, Stockton

ERNEST J DRONENBURG, JR.  
Third District, San Diego

BRAD SHERMAN  
Fourth District, Los Angeles

KATHLEEN CONNELL  
Controller, Sacramento

September 22, 1995

BURTON W OLIVER  
Executive Director

No. 95/55

TO COUNTY ASSESSORS:

EXEMPTION FILING REQUIREMENTS:  
SUPPLEMENTAL ASSESSMENTS FOR NEW CONSTRUCTION

In Letter to Assessors No. 95/14, we advised you that Chapter 1222 (Senate Bill 1431, Statutes of 1994) amended Revenue and Taxation Code Section 75.21 to provide that, in the case of supplemental assessments arising from new construction on property already receiving a full (100%) exemption from property taxes, no filing for exemption is required. This change in the law became effective January 1, 1995.

Questions have been raised as to whether the event date or the date of the notice of supplemental assessment determines the need for filing a claim for exemption. After discussing the issue with our legal staff, it is our view that, in the case of a notice of supplemental assessment dated on or after January 1, 1995, no filing for exemption is necessary if the property is already enjoying a full exemption. If, later, a reinspection of the property discloses nonexempt use of portions of the property, escapes can be enrolled at that time.

If a property is receiving only a partial exemption, a claim form for exemption from a supplemental assessment on new construction must be filed in order to determine whether the new construction pertains to the exempt or nonexempt portions of the property.

If you have any questions regarding this subject, please contact the Assessment Standards Division's Exemption Unit at (916) 445-4982.

Sincerely,

John W. Hagerty  
Deputy Director  
Property Taxes Department

JWH:kmc