

AMENDED IN ASSEMBLY MAY 14, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2119

Introduced by Assembly Member Stone
(Coauthor: Assembly Member V. Manuel Pérez)

February 20, 2014

An act to amend Sections 7285 and 7285.5 of the Revenue and Taxation Code, relating to taxation.

LEGISLATIVE COUNSEL'S DIGEST

AB 2119, as amended, Stone. Local taxes: transactions and use taxes.

Existing law authorizes the board of supervisors of a county to levy, increase, or extend a transactions and use tax, as specified, if approved by the required vote of the board and the required vote of the qualified voters.

This bill would authorize the board of supervisors of a county to levy, increase, or extend a transactions and use tax throughout the entire county or within the unincorporated area of the county, if approved by the qualified voters of the entire county *if levied on the entire county*, or *of the unincorporated area of the county, as applicable. if levied on the unincorporated area of the county.* This bill would require the revenues derived from the imposition of this tax to only be used within the area for which the tax was approved by the qualified voters.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 7285 of the Revenue and Taxation Code
2 is amended to read:

3 7285. The board of supervisors of any county may levy,
4 increase, or extend a transactions and use tax throughout the entire
5 county or within the unincorporated area of the county for general
6 purposes at a rate of 0.125 percent or a multiple thereof, if the
7 ordinance proposing that tax is approved by a two-thirds vote of
8 all members of the board of supervisors and the tax is approved
9 by a majority vote of the qualified voters of the entire county *if*
10 *levied on the entire county* or the unincorporated area of the ~~county,~~
11 ~~as applicable,~~ *county if levied on the unincorporated area of the*
12 *county,* voting in an election on the issue. The board of supervisors
13 may levy, increase, or extend more than one transaction and use
14 tax under this section, if the adoption of each tax is in the manner
15 prescribed in this section. The transactions and use tax shall
16 conform to Part 1.6 (commencing with Section 7251). The revenues
17 derived from the imposition of a tax pursuant to this section shall
18 only be used for general purposes within the area for which the
19 tax was approved by the qualified voters.

20 SEC. 2. Section 7285.5 of the Revenue and Taxation Code is
21 amended to read:

22 7285.5. (a) As an alternative to the procedure set forth in
23 Section 7285, the board of supervisors of any county may levy,
24 increase, or extend a transactions and use tax throughout ~~out~~ the
25 entire county or within the unincorporated area of the county, as
26 applicable, for specific purposes. The tax may be levied, increased,
27 or extended at a rate of 0.125 percent, or a multiple thereof, for
28 the purpose for which it is established, if all of the following
29 requirements are met:

30 (1) The ordinance proposing that tax is approved by a two-thirds
31 vote of all members of the board of supervisors and is subsequently
32 approved by a two-thirds vote of the qualified voters of the entire
33 county *if levied on the entire county* or the unincorporated area of
34 ~~the county, as applicable,~~ *county if levied on the unincorporated*
35 *area of the county,* voting in an election on the issue.

36 (2) The transactions and use tax conforms to the Transactions
37 and Use Tax Law Part 1.6 (commencing with Section 7251).

1 (3) The ordinance includes an expenditure plan describing the
2 specific projects for which the revenues from the tax may be
3 expended.

4 (b) A county shall be deemed to be an authority for purposes
5 of Chapter 1 (commencing with Section 55800) of Part 3 of
6 Division 2 of Title 5 of the Government Code.

7 (c) The revenues derived from the imposition of a tax pursuant
8 to this section shall only be used for specific purposes within the
9 area for which the tax was approved by the qualified voters.

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