

ASSEMBLY BILL

No. 2061

Introduced by Assembly Member Salinas

February 19, 2002

An act to add Chapter 2.67 (commencing with Section 7286.28) to Part 1.7 of Division 2 of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 2061, as introduced, Salinas. Transactions and use tax: City of Salinas.

Existing law authorizes various local governmental entities, in accordance with certain limitations and approval requirements, to levy transactions and use taxes in accordance with the procedures and requirements set forth in the Transactions and Use Tax Law.

This bill would additionally authorize the City of Salinas, with the approval of $\frac{2}{3}$ of the voters voting on the issue at an election, to levy a transactions and use tax at a rate 0.25% for the purpose of improving specified capital facilities in that city.

This bill would make legislative findings and declarations as to the necessity of a special statute.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

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

1 SECTION 1. Chapter 2.67 (commencing with Section
2 7286.28) is added to Part 1.7 of Division 2 of the Revenue and
3 Taxation Code, to read:

4
5 CHAPTER 2.67. CITY OF SALINAS TRANSACTIONS AND USE TAX

6
7 7286.28. (a) Subject to the expenditure restrictions in
8 subdivision (b), the City of Salinas may levy a tax at a rate of 0.25
9 percent in accordance with the Transactions and Use Tax Law
10 (Part 1.6 (commencing with Section 7251)), if both of the
11 following conditions are met:

12 (1) An ordinance or resolution proposing that tax is approved
13 by a majority vote of all of the members of the city council.

14 (2) The proposing ordinance or resolution is approved by a
15 two-thirds vote of qualified voters of the city voting in an election
16 on the issue.

17 (b) The net revenues derived from a tax imposed pursuant to
18 this section shall be exclusively expended for the provision of
19 identifiable capital facilities, furnishings, and equipment.

20 SEC. 2. The Legislature finds and declares that a special law
21 is necessary and that a general law cannot be made applicable
22 within the meaning of Section 16 of Article IV of the California
23 Constitution because of the uniquely difficult fiscal pressures
24 being experienced by the City of Salinas in providing capital
25 facilities including, but not limited to, the facilities of the police
26 department, library, municipal pool, gymnasium, and senior
27 center.

28 SEC. 3. This act is an urgency statute necessary for the
29 immediate preservation of the public peace, health, or safety
30 within the meaning of Article IV of the Constitution and shall go
31 into immediate effect. The facts constituting the necessity are:

32 In order to provide in a timely manner to the City of Salinas the
33 fiscal authority that is essential to resolve immediate and pressing
34 issues with respect to specified capital facilities in the City of
35 Salinas, it is necessary that this act take effect immediately.

O

