

ASSEMBLY BILL

No. 2508

Introduced by Assembly Member Dickerson

February 21, 2002

An act to amend Section 7101 of, and to add Section 7101.5 to, the Revenue and Taxation Code, relating to taxation, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 2508, as introduced, Dickerson. State sales and use taxes: antiterrorism preparedness.

The Sales and Use Tax Law provides for the levy of a state sales and use tax at a basic rate of 6% upon the gross receipts from the sale in this state of, or the storage, use, or other consumption in this state of, tangible personal property. That law imposes, as a component of that basic rate, a state sales and use tax at a rate of $\frac{1}{4}\%$, but suspends the imposition of that $\frac{1}{4}\%$ rate for any single calendar year during which certain conditions are met.

This bill would provide that any revenues derived from this conditional $\frac{1}{4}\%$ rate be deposited into the Antiterrorism Preparedness Fund, which this bill would create in the State Treasury. This bill would continuously appropriate moneys in that fund for allocation to law enforcement agencies for antiterrorism preparedness.

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

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

1 SECTION 1. Section 7101 of the Revenue and Taxation Code
2 is amended to read:

3 7101. All fees, taxes, interest, and penalties imposed and all
4 amounts of tax required to be paid to the ~~State~~ *state* under this part
5 shall be paid to the board in the form of remittances payable to the
6 State Board of Equalization ~~of the State of California~~. ~~The~~ *Except*
7 *as provided in Section 7101.5, the* board shall transmit the
8 payments to the State Treasurer to be deposited in the State
9 Treasury to the credit of the Retail Sales Tax Fund.

10 SEC. 2. Section 7101.5 is added to the Revenue and Taxation
11 Code, to read:

12 7101.5. (a) The Antiterrorism Preparedness Fund is hereby
13 created in the State Treasury to receive all revenues, net of refunds,
14 derived from the sales and use tax rate imposed by Sections 6051.3
15 and 6201.3.

16 (b) Notwithstanding Section 13340 of the Government Code,
17 moneys in the fund are hereby continuously appropriated, without
18 regard to fiscal years, for allocation to local law enforcement
19 agencies to be expended exclusively for antiterrorism
20 preparedness.

