

AMENDED IN SENATE APRIL 23, 2001

SENATE BILL

No. 409

Introduced by Senator Vincent

February 21, 2001

An act to amend ~~Section 833~~ *Sections 12209, 17053.57, and 23657* of the Revenue and Taxation Code, relating to taxation, *to take effect immediately, tax levy.*

LEGISLATIVE COUNSEL'S DIGEST

SB 409, as amended, Vincent. ~~Property tax statements: confidentiality~~ *Income bank and corporation taxes: credit: qualified deposits.*

The Personal Income Tax Law and the Bank and Corporation Tax Law, and existing law with respect to the taxation of insurers, authorize, until January 1, 2002, an annual tax credit in an amount equal to 20% of a qualified deposit, as defined, made into a community development financial institution, as defined.

This bill would extend the expiration date of the credit to January 1, 2007, would clarify the types of investments eligible for the credit, and would modify, as specified, limits on the amount of those eligible investments. This bill would also make various technical changes.

This bill would take effect immediately as a tax levy.

~~The California Constitution requires the State Board of Equalization to annually value and assess specified unitary property that is located in 2 or more counties, as well as property owned and used by regulated railways, telegraph and telephone companies, car companies operating on railways in this state, and companies selling or transmitting electricity in this state.~~

~~Under existing property tax law, a state assessee, upon the board's request, is required to file a property tax statement relating to its state assessed property. Existing law generally provides that all information received from the state assessee is confidential. However, existing law allows, under specified circumstances, for disclosure of that information to specified local government officials. Existing law is silent as to whether these officials are held to the same duty of confidentiality.~~

~~This bill specifically extends the confidentiality requirement to those local officials who are permitted to examine records of state assessees.~~

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

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

1 ~~SECTION 1. Section 833 of the Revenue and Taxation Code~~
2 *SECTION 1. Section 12209 of the Revenue and Taxation Code*
3 *is amended to read:*

4 12209. (a) For each year beginning on or after January 1,
5 1999, and before January 1, ~~2002~~ 2007, there shall be allowed as
6 a credit against the amount of tax, as defined in Section 28 of
7 Article XIII of the California Constitution, an amount equal to 20
8 percent of the amount of each qualified ~~deposit~~ *investment* made
9 by a taxpayer during the year into a community development
10 financial institution.

11 (b) For purposes of determining any tax that may be imposed
12 under Section 685 of the Insurance Code on a taxpayer not
13 organized under the laws of this state, the amount of the credit
14 allowed by subdivision (a) shall be treated as a tax paid under
15 Section 12201 or Section 28 of Article XIII of the California
16 Constitution.

17 (c) Notwithstanding any other provision of this part, no credit
18 shall be allowed under this section unless the California Organized
19 Investment Network ~~of the Department of Insurance, or its~~
20 ~~successor, or its successor within the Department of Insurance,~~
21 certifies that the deposit described in subdivision (a) qualifies for
22 the credit under this section and certifies the total amount of the
23 credit allocated to the taxpayer pursuant to this section. The
24 aggregate amount of qualified ~~deposits~~ *investments* made by all
25 taxpayers pursuant to this section, ~~Section 17053.57, and Section~~



1 ~~23657~~ shall not exceed ten million dollars (\$10,000,000) for each
2 calendar year. *However, if the aggregate amount of qualified*
3 *investments made in any calendar year is less than ten million*
4 *dollars (\$10,000,000), the difference may be carried over to the*
5 *next and succeeding years during which this section remains in*
6 *effect, and added to the aggregate amount authorized for those*
7 *years.*

8 (d) *No single qualified investment may exceed one million*
9 *dollars (\$1,000,000) in amount, and no single taxpayer may*
10 *obtain any credits for investments exceeding five million dollars*
11 *(\$5,000,000) in the aggregate, unless the Department of*
12 *Insurance, California Organized Investment Network, or its*
13 *successor, determines that waiver of either or both of these limits*
14 *is necessary to reach the aggregate amount of qualified*
15 *investments authorized for the current calendar year.*

16 (e) The community development financial institution shall do
17 all of the following:

18 (1) Apply to the *Department of Insurance, California*
19 *Organized Investment Network, or its successor, for certification*
20 *of its status as a community development financial institution.*

21 (2) Apply to the *Department of Insurance, California*
22 *Organized Investment Network, or its successor, on behalf of the*
23 *taxpayer for certification of the credit amount allocated to the*
24 *taxpayer prior to accepting any qualified deposit from the*
25 *taxpayer.*

26 ~~(3) Transmit to the taxpayer and the California Organized~~
27 ~~Investment Network, or its successor, certification that a qualified~~
28 ~~deposit has been accepted, the amount of the deposit or equity~~
29 ~~investment, obtain the certification and the amount of the credit to~~
30 ~~which the taxpayer is entitled, and retain a copy of the certification.~~

31 ~~(4)–~~

32 (3) Obtain the taxpayer's California company identification
33 number for tax administration purposes and provide this
34 information to the California Organized Investment Network, or
35 its successor, with the ~~transmittal~~ *application* required in
36 paragraph ~~(3)~~ (2).

37 ~~(5)–~~

38 (4) Provide an annual listing to the board, in the form and
39 manner agreed upon by the board and the *Department of*
40 *Insurance, California Organized Investment Network, or its*



1 successor, of the names and taxpayer’s California company
 2 identification numbers of any taxpayer who makes any withdrawal
 3 or partial withdrawal of a qualified ~~deposit~~ *investment* before the
 4 expiration of 60 months from the date ~~of when~~ the qualified ~~deposit~~
 5 *investment was made*.

6 ~~(e)–~~

7 (f) The *Department of Insurance*, California Organized
 8 Investment Network, or any successor thereof, shall do all of the
 9 following:

10 (1) Accept applications for certification from financial
 11 institutions and issue certificates that the applicant is a community
 12 development financial institution qualified to receive qualified
 13 ~~deposits~~ *investments*.

14 (2) Accept applications for certification from any community
 15 development financial institution on behalf of the taxpayer and
 16 issue certificates to taxpayers in ~~an aggregate amount~~ *aggregate*
 17 *amounts* that shall not exceed the limit specified in ~~subdivision (e)~~
 18 *subdivisions (c) and (d)*. The certificate shall include the amount
 19 eligible to be made as ~~a deposit or equity~~ *an investment* that
 20 qualifies for the credit and the total amount of the credit to which
 21 the taxpayer is entitled for the year. Certificates shall be issued in
 22 the order that the applications are received.

23 (3) Provide an annual listing to the board, in the form or manner
 24 agreed upon by the board and the *Department of Insurance*,
 25 California Organized Investment Network, or its successor, of the
 26 taxpayers who were issued certificates, their respective National
 27 Association of Insurance Commissioners company number and
 28 employer’s tax identification number, the amount of the qualified
 29 ~~deposit~~ *investment* made by each taxpayer, and the total amount of
 30 qualified ~~deposits~~ *investments made by all taxpayers under this*
 31 *section*.

32 ~~(f)–~~

33 (g) For purposes of this section:

34 (1) “Qualified ~~deposit~~ *investment*” means a *deposit or loan*
 35 that does not earn interest, or an equity investment, ~~that is~~ *or an*
 36 *equity-like investment that conforms to the specifications for these*
 37 *instruments as prescribed by the United States Department of the*
 38 *Treasury, Community Development Financial Institutions Fund,*
 39 *or its successor. All qualified investments must be equal to or*



1 greater than fifty thousand dollars (\$50,000) and is made for a
2 minimum duration of 60 months.

3 (2) “Community development financial institution” means a
4 private financial institution located in this state that is certified by
5 the *Department of Insurance, California Organized Investment*
6 *Network*, or its successor, that has community development as its
7 primary mission, and that lends in urban, rural, or
8 reservation-based communities in this state. A community
9 development financial institution may include a community
10 development bank, a community development loan fund, a
11 community development credit union, a microenterprise fund, a
12 community development corporation-based lender, and a
13 community development venture fund.

14 ~~(g)~~

15 (h) (1) If a qualified ~~deposit investment~~ is withdrawn before
16 the end of the 60th month and not ~~redeposited or~~ reinvested in
17 another community development financial institution within 60
18 days, there shall be added to the “tax,” as defined in Section 28
19 of Article XIII of the California Constitution, for the year in which
20 the withdrawal occurs, the entire amount of any credit previously
21 allowed under this section.

22 (2) If a qualified ~~deposit investment~~ is reduced before the end
23 of the 60th month, but not below fifty thousand dollars (\$50,000),
24 there shall be added to the “tax,” as defined in Section 28 of
25 Article XIII of the California Constitution, for the ~~income taxable~~
26 year in which the reduction occurs, an amount equal to 20 percent
27 of the total reduction for the year.

28 ~~(h)~~

29 (i) In the case where the credit allowed by this section exceeds
30 the “tax,” the excess may be carried over to reduce the “tax” for
31 the next four years, or until the credit has been exhausted,
32 whichever occurs first.

33 ~~(i)~~

34 (j) *The Franchise Tax Board shall, as requested by the*
35 *Department of Insurance, California Organized Network, or its*
36 *successor, advise and assist in the administration of this section.*

37 (k) This section shall remain in effect only until December 31,
38 ~~2002~~ 2007, and as of that date is repealed. However, any unused
39 credit may continue to be carried forward, as provided in
40 subdivision (h), until the credit is exhausted.



1 SEC. 2. Section 17053.57 of the Revenue and Taxation Code
2 is amended to read:

3 17053.57. (a) For each taxable year beginning on or after
4 January 1, 1997, and before January 1, ~~2002~~ 2007, there shall be
5 allowed as a credit against the amount of “net tax,” as defined in
6 Section 17039, an amount equal to 20 percent of the amount of
7 each qualified ~~deposit~~ investment made by a taxpayer during the
8 taxable year into a community development financial institution.

9 (b) Notwithstanding any other provision of this part, no credit
10 shall be allowed under this section unless the California Organized
11 Investment Network ~~of the Department of Insurance, or its~~
12 ~~successor, or its successor within the Department of Insurance,~~
13 certifies that the ~~deposit~~ investment described in subdivision (a)
14 qualifies for the credit under this section and certifies the total
15 amount of the credit allocated to the taxpayer pursuant to this
16 section. The aggregate amount of qualified ~~deposits~~ investments
17 made by all taxpayers pursuant to this section and Section 23657
18 shall not exceed ten million dollars (\$10,000,000) for each
19 calendar year. *However, if the aggregate amount of qualified*
20 *investments made in any calendar year is less than ten million*
21 *dollars (\$10,000,000), the difference may be carried over to the*
22 *next and succeeding years during which this section remains in*
23 *effect, and added to the aggregate amount authorized for those*
24 *years.*

25 (c) *No single qualified investment may exceed one million*
26 *dollars (\$1,000,000) in amount, and no single taxpayer may*
27 *obtain any credits for investments exceeding five million dollars*
28 *(\$5,000,000) in the aggregate, unless the Department of*
29 *Insurance, California Organized Investment Network, or its*
30 *successor, determines that waiver of either or both of these limits*
31 *is necessary to reach the aggregate amount of qualified*
32 *investments authorized for the current calendar year.*

33 (d) The Community Development Financial Institution shall
34 do all of the following:

35 (1) Apply to the *Department of Insurance, California*
36 *Organized Investment Network, or its successor, for certification*
37 *of its status as a Community Development Financial Institution.*

38 (2) Apply to the *Department of Insurance, California*
39 *Organized Investment Network, or its successor, on behalf of the*
40 *taxpayer for certification of the credit amount allocated to the*



1 taxpayer prior to accepting any qualified deposit from the
2 taxpayer.

3 ~~(3) Transmit to the taxpayer and the California Organized~~
4 ~~Investment Network, or its successor, certification that a qualified~~
5 ~~deposit has been accepted, the amount of the deposit or equity~~
6 ~~investment, obtain the certification amount of the investment and~~
7 the amount of the credit to which the taxpayer is entitled, and retain
8 a copy of the certification.

9 ~~(4)~~

10 (3) Obtain the taxpayer's identification number, or in the case
11 of a partnership, the taxpayer identification numbers of all the
12 partners for tax administration purposes and provide this
13 information to the *Department of Insurance*, California Organized
14 Investment Network, or its successor, with the ~~transmittal~~
15 *application* required in paragraph ~~(3)~~ (2).

16 ~~(5)~~

17 (4) Provide an annual listing to the Franchise Tax Board, in the
18 form and manner agreed upon by the Franchise Tax Board and the
19 *Department of Insurance*, California Organized Investment
20 Network, or its successor, of the names and taxpayer identification
21 numbers of any taxpayer who makes any withdrawal or partial
22 withdrawal of a qualified ~~deposit investment~~ before the expiration
23 of 60 months from the date of the qualified ~~deposit investment~~ was
24 made.

25 ~~(d)~~

26 (e) The *Department of Insurance*, California Organized
27 Investment Network, or any successor thereof, shall do all of the
28 following:

29 (1) Accept applications for certification from financial
30 institutions and issue certificates that the applicant is a Community
31 Development Financial Institution qualified to receive qualified
32 ~~deposits investments~~.

33 (2) Accept applications for certification from any Community
34 Development Financial Institution on behalf of the taxpayer and
35 issue certificates to taxpayers in ~~an aggregate amount~~ *aggregate*
36 *amounts* that shall not exceed the limit specified in ~~subdivision (b)~~
37 *subdivisions (b) and (c)*. The certificate shall include the amount
38 eligible to be made as ~~a deposit or equity~~ *an investment* that
39 qualifies for the credit and the total amount of the credit to which



1 the taxpayer is entitled for the taxable year. Certificates shall be
2 issued in the order in which the applications are received.

3 (3) Provide an annual listing to the Franchise Tax Board, in a
4 form or manner agreed upon by the Franchise Tax Board, of the
5 taxpayers who were issued certificates, their respective tax
6 identification numbers, the amount of the qualified ~~deposit~~
7 *investment* made by each taxpayer, and the total amount of all
8 qualified ~~deposits~~ *investments made by all taxpayers under this*
9 *section.*

10 ~~(e)~~

11 (f) For purposes of this section:

12 (1) “Qualified ~~deposit~~ *investment*” means a deposit *or loan*
13 that does not earn interest, or an equity investment, ~~that is~~ *or an*
14 *equity-like investment that conforms to the specifications for these*
15 *instruments as prescribed by the United States Department of the*
16 *Treasury, Community Development Financial Institutions Fund,*
17 *or its successor. All qualified investments must be equal to or*
18 *greater than fifty thousand dollars (\$50,000) and is made for a*
19 *minimum duration of 60 months.*

20 (2) “Community development financial institution” means a
21 private financial institution located in this state that is certified by
22 the *Department of Insurance, California Organized Investment*
23 *Network, or its successor, that has community development as its*
24 *primary mission, and that lends in urban, rural, or*
25 *reservation-based communities in this state. A community*
26 *development financial institution may include a community*
27 *development bank, a community development loan fund, a*
28 *community development credit union, a microenterprise fund, a*
29 *community development corporation-based lender, and a*
30 *community development venture fund.*

31 ~~(f)~~

32 (g) (1) If a qualified ~~deposit~~ *investment* is withdrawn before
33 the end of the 60th month and not ~~redeposited~~ *or* reinvested in
34 another Community Development Financial Institution within 60
35 days, there shall be added to the “net tax,” as defined in Section
36 17039, for the taxable year in which the withdrawal occurs, the
37 entire amount of any credit previously allowed under this section.

38 (2) If a qualified ~~deposit~~ *investment* is reduced before the end
39 of the 60th month, but not below fifty thousand dollars (\$50,000),
40 there shall be added to the “net tax,” as defined in Section 17039,



1 for the taxable year in which the reduction occurs, an amount equal
2 to 20 percent of the total reduction for the taxable year.

3 ~~(g)~~

4 (h) In the case where the credit allowed by this section exceeds
5 the “net tax,” the excess may be carried over to reduce the “net
6 tax” for the next four taxable years, or until the credit has been
7 exhausted, whichever occurs first.

8 ~~(h)~~

9 (i) *The Franchise Tax Board shall, as requested by the*
10 *Department of Insurance, California Organized Investment*
11 *Network, or its successor, advise and assist in the administration*
12 *of this section.*

13 (j) This section shall remain in effect only until December 1,
14 ~~2002~~ 2007, and as of that date is repealed. *However, any unused*
15 *credit may continue to be carried forward as provided in*
16 *subdivision (h), until the credit is exhausted.*

17 *SEC. 3. Section 23657 of the Revenue and Taxation Code is*
18 *amended to read:*

19 23657. (a) For each taxable year beginning on or after
20 January 1, 1997, and before January 1, ~~2002~~ 2007, there shall be
21 allowed as a credit against the amount of “tax,” as defined in
22 Section 23036, an amount equal to 20 percent of the amount of
23 each qualified ~~deposit~~ investment made by a taxpayer during the
24 taxable year into a community development financial institution.

25 (b) Notwithstanding any other provision of this part, no credit
26 shall be allowed under this section unless the California Organized
27 Investment Network ~~of the Department of Insurance, or its~~
28 ~~successor, or its successor within the Department of Insurance,~~
29 certifies that the ~~deposit~~ investment described in subdivision (a)
30 qualifies for the credit under this section and certifies the total
31 amount of the credit allocated to the taxpayer pursuant to this
32 section. The aggregate amount of qualified ~~deposits~~ investments
33 made by all taxpayers pursuant to this section and Section
34 17053.57 shall not exceed ten million dollars (\$10,000,000) for
35 each calendar year. *However, if the aggregate amount of qualified*
36 *investments made in any calendar year is less than ten million*
37 *dollars (\$10,000,000), the difference may be carried over to the*
38 *next and succeeding years during which this section remains in*
39 *effect, and added to the aggregate amount authorized for those*
40 *years.*



1 (c) *No single qualified investment may exceed one million*
2 *dollars (\$1,000,000) in amount, and no single taxpayer may*
3 *obtain any credits for investments exceeding five million dollars*
4 *(\$5,000,000) in the aggregate, unless the Department of*
5 *Insurance, California Organized Investment Network, or its*
6 *successor, determines that waiver of either or both of these limits*
7 *is necessary to reach the aggregate amount of qualified*
8 *investments authorized for the current calendar year.*

9 (d) The Community Development Financial Institution shall
10 do all of the following:

11 (1) Apply to the *Department of Insurance, California*
12 *Organized Investment Network, or its successor, for certification*
13 *of its status as a Community Development Financial Institution.*

14 (2) Apply to the *Department of Insurance, California*
15 *Organized Investment Network, or its successor, on behalf of the*
16 *taxpayer, for certification of the credit amount allocated to the*
17 *taxpayer ~~prior to accepting any qualified deposit from the~~*
18 *taxpayer.*

19 ~~(3) Transmit to the taxpayer and the California Organized~~
20 ~~Investment Network, or its successor, certification that a qualified~~
21 ~~deposit has been accepted, amount of the deposit or equity~~
22 ~~investment, obtain the certification amount of the investment and~~
23 ~~the amount of credit to which the taxpayer is entitled, and retain~~
24 ~~a copy of the certification.~~

25 ~~(4)~~

26 (3) Obtain the taxpayer's identification number, or in the case
27 of an "S corporation," the taxpayer identification numbers of all
28 the shareholders for tax administration purposes and provide this
29 information to the *Department of Insurance, California Organized*
30 *Investment Network, or its successor, with the ~~transmittal~~*
31 *application required in paragraph ~~(3)~~ (2).*

32 ~~(5)~~

33 (4) Provide an annual listing to the Franchise Tax Board, in the
34 form and manner agreed upon by the Franchise Tax Board and the
35 *Department of Insurance, California Organized Investment*
36 *Network, or its successor, of the names and taxpayer identification*
37 *numbers of any taxpayer who makes any withdrawal or partial*
38 *withdrawal of a qualified ~~deposit~~ investment before the expiration*
39 *of 60 months from the date of the qualified ~~deposit~~ investment was*
40 *made.*



1 ~~(d)~~

2 (e) The *Department of Insurance* California Organized
3 Investment Network, or any successor thereof, shall do all of the
4 following:

5 (1) Accept applications for certification from financial
6 institutions and issue certificates that the applicant is a Community
7 Development Financial Institution qualified to receive qualified
8 ~~deposits~~ *investments*.

9 (2) Accept applications for certification from any Community
10 Development Financial Institution on behalf of the taxpayer and
11 issue certificates to taxpayers in ~~an aggregate amount~~ *aggregate*
12 *amounts* that shall not exceed the limit specified in ~~subdivision (b)~~
13 *subdivisions (b) and (c)*. The certificate shall include the amount
14 eligible to be made as ~~a deposit or equity~~ *an investment* that
15 qualifies for the credit and the total amount of the credit to which
16 the taxpayer is entitled for the taxable year. Certificates shall be
17 issued in the order that the applications are received.

18 (3) Provide an annual listing to the Franchise Tax Board, in the
19 form or manner agreed upon by the Franchise Tax Board and the
20 *Department of Insurance*, California Organized Investment
21 Network, or its successor, of the taxpayers who were issued
22 certificates, their respective tax identification numbers, the
23 amount of the qualified ~~deposit~~ *investment* made by each taxpayer,
24 and the total amount of all qualified ~~deposits~~ *investments made by*
25 *all taxpayers under this section*.

26 ~~(e)~~

27 (f) For purposes of this section:

28 (1) “Qualified ~~deposit~~ *investment*” means a *deposit or loan*
29 that does not earn interest, or an equity investment, ~~that is~~ *or an*
30 *equity-like investment that conforms to the specifications for these*
31 *instruments as prescribed by the United States Department of the*
32 *Treasury, Community Development Financial Institutions Fund,*
33 *or its successor. All qualified investments must be equal to or*
34 *greater than fifty thousand dollars (\$50,000) and is made for a*
35 *minimum duration of 60 months.*

36 (2) “Community development financial institution” means a
37 private financial institution located in this state that is certified by
38 the *Department of Insurance*, California Organized Investment
39 Network, or its successor, that has community development as its
40 primary mission, and that lends in urban, rural, or



1 reservation-based communities in this state. A community
 2 development financial institution may include a community
 3 development bank, a community development loan fund, a
 4 community development credit union, a microenterprise fund, a
 5 community development corporation-based lender, and a
 6 community development venture fund.

7 ~~(f)~~

8 (g) (1) If a qualified ~~deposit investment~~ is withdrawn before
 9 the end of the 60th month and not ~~re deposited~~ or reinvested in
 10 another Community Development Financial Institution within 60
 11 days, there shall be added to the “tax,” as defined in Section
 12 23036, for the taxable year in which the withdrawal occurs, the
 13 entire amount of any credit previously allowed under this section.

14 (2) If a qualified ~~deposit investment~~ is reduced before the end
 15 of the 60th month, but not below fifty thousand dollars (\$50,000),
 16 there shall be added to the “tax,” as defined in Section 23036, for
 17 the taxable year in which the reduction occurs, an amount equal to
 18 20 percent of the total reduction for the taxable year.

19 ~~(g)~~

20 (h) In the case where the credit allowed by this section exceeds
 21 the “tax,” the excess may be carried over to reduce the “tax” for
 22 the next four taxable years, or until the credit has been exhausted,
 23 whichever occurs first.

24 ~~(h)~~

25 (i) *The Franchise Tax Board shall, as requested by the*
 26 *Department of Insurance, California Organized Investment*
 27 *Network, or its successor, advise and assist in the administration*
 28 *of this section.*

29 (j) This section shall remain in effect only until December 1,
 30 ~~2002~~ 2007, and as of that date is repealed. *However, any unused*
 31 *credit may continue to be carried forward as provided in*
 32 *subdivision (h), until the credit is exhausted.*

33 *SEC. 4. This act provides for a tax levy within the meaning of*
 34 *Article IV of the Constitution and shall go into immediate effect.*
 35 ~~is amended to read:~~

36 ~~833. (a) Except as provided herein, all information required~~
 37 ~~by the board or furnished in the property statement shall be held~~
 38 ~~secret by the board. Information and records in the board's office~~
 39 ~~which are not required to be kept or prepared by the board are not~~
 40 ~~public documents and are not open to public inspection.~~



1 ~~(b) This section shall not apply to maps filed pursuant to~~
2 ~~Section 326.~~

3 ~~(c) Except as provided in Section 38706, the board may~~
4 ~~provide any assessment data in its possession to the assessor of any~~
5 ~~county. When requested by resolution of the board of supervisors~~
6 ~~of any county, or the city council of any city which prepares its own~~
7 ~~local roll, the board shall permit the auditor or the assessor of the~~
8 ~~county or city, or any duly authorized deputy or employee of that~~
9 ~~officer, to examine any and all records of the board. Confidential~~
10 ~~information, records, and appraisal data obtained by any person or~~
11 ~~entity pursuant to this subdivision shall be held secret.~~

12 ~~(d) The board shall disclose information, furnish abstracts or~~
13 ~~permit access to any and all of its records to or by law enforcement~~
14 ~~agencies, grand juries, and other duly authorized legislative or~~
15 ~~administrative officials of the state pursuant to their authorization~~
16 ~~to examine these records.~~

17 ~~(e) The board also may disclose information, records, and~~
18 ~~appraisal data relating to state assessment of companies engaged~~
19 ~~in interstate commerce to tax officials of other states having duties~~
20 ~~corresponding to those described by this chapter. This disclosure~~
21 ~~shall be limited to instances in which there is a reciprocal exchange~~
22 ~~of information by the states in which the interstate companies~~
23 ~~operate, and shall be made only pursuant to a written agreement~~
24 ~~between the agencies involved. This agreement shall provide that~~
25 ~~any request for information be in writing, shall specify the~~
26 ~~information to be exchanged, and shall require that any~~
27 ~~information furnished be used solely for tax administration~~
28 ~~purposes and otherwise shall be held secret. This agreement shall~~
29 ~~also provide that any information furnished be disclosed only to~~
30 ~~those persons whose duties or responsibilities require access and~~
31 ~~shall require that necessary safeguards be implemented to protect~~
32 ~~the confidentiality of the information. The request for information~~
33 ~~and any written material furnished pursuant to the request shall be~~
34 ~~open to inspection by the person to whom the information relates~~
35 ~~at the office of the board in Sacramento.~~

36 ~~(f) Upon receiving any request for confidential information~~
37 ~~from any person or entity described in subdivision (c) or (e), the~~
38 ~~board shall promptly notify the state assessee to which the request~~
39 ~~relates of the identity of the person or entity requesting the~~
40 ~~information and a description of the information sought. Upon~~



1 ~~sending any information in response to the request, the board shall~~
2 ~~simultaneously provide to the state assessee to which the request~~
3 ~~relates notification describing the information so transmitted and~~
4 ~~the identity of the person or entity to whom the information was~~
5 ~~transmitted.~~

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