

Introduced by Senator Ackerman

February 20, 2003

An act to add Sections 100.51 and 721.51 to the Revenue and Taxation Code, relating to taxation.

LEGISLATIVE COUNSEL'S DIGEST

SB 593, as introduced, Ackerman. Property taxation: state assessment: commercial air operator personal property.

The California Constitution requires the State Board of Equalization to assess specified properties owned by specified entities. Existing property tax law provides for the valuation of properties of a state assessee that owns property in more than one county. Existing law also provides, pursuant to specified formulas, for the application in each county of specified tax rates to the allocated assessed value of a state assessee's property, and for the allocation among jurisdictions in that county of the resulting revenues.

This bill would, commencing with the lien date for the 2004–05 fiscal year, require the board to assess taxable personal property that is owned by a commercial air operator, as defined. This bill would also require that the revenues derived from the assessment of this property be allocated in the same percentage shares as revenues derived from locally assessed property among the jurisdictions in which the property is located.

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

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

1 SECTION 1. Section 100.51 is added to the Revenue and
2 Taxation Code, to read:

3 100.51. Notwithstanding any other provision of law, for the
4 2004–05 fiscal year and each fiscal year thereafter, all of the
5 following apply:

6 (a) The property tax assessed value of taxable personal
7 property that is owned by a commercial air operator, as defined in
8 Section 5500 of the Public Utilities Code, and that is assessed by
9 the State Board of Equalization, shall be allocated entirely to that
10 tax rate area in the county in which the property is located.

11 (b) The tax rate applied to the assessed value allocated pursuant
12 to subdivision (a) shall be the rate calculated pursuant to Section
13 93.

14 (c) The revenues derived from the application of the tax rate to
15 the assessed value allocated to a tax rate area pursuant to
16 subdivision (a) shall be allocated among the jurisdictions in that
17 tax rate area, in those same percentage shares that property tax
18 revenues derived from locally assessed property are allocated to
19 those jurisdictions in that tax rate area, subject to any allocation
20 and payment of funds as provided in subdivision (b) of Section
21 33670 of the Health and Safety Code, and subject to any
22 modifications or adjustments pursuant to Sections 99 and 99.2.

23 SEC. 2. Section 721.51 is added to the Revenue and Taxation
24 Code, to read:

25 721.51. Notwithstanding any other provision of law,
26 commencing with the lien date for the 2004–05 fiscal year, the
27 board shall annually assess all taxable personal property that is
28 owned by a commercial air operator, as defined in Section 5500 of
29 the Public Utilities Code.

