

AMENDED IN ASSEMBLY APRIL 10, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 1365

Introduced by Assembly Member Karnette

February 23, 2007

An act to amend Section 8752 of the Government Code, relating to the California Arts Council: to add Section 7101.2 to the Revenue and Taxation Code, relating to taxation, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1365, as amended, Karnette. California Arts Council: meetings: notice funding: sales and use tax revenues.

Existing law requires the California Arts Council to meet no more than 8 times each year at the call of the chairperson in various places throughout the state, and requires that all meetings are to be preceded by at least 8 days' public notice. The Sales and Use Tax Law imposes a tax on the gross receipts from the sale in this state of, or the storage, use, or other consumption in this state of, tangible personal property, and requires that all revenues derived from that tax, except as provided, be deposited in the State Treasury to the credit of the Retail Sales Tax Fund. Existing law establishes in state government the California Arts Council and imposes various duties on the council to foster arts development and to award grants and prizes to individuals and organizations in the arts, as provided.

This bill would instead change the advance public notice period to 10 days require that all revenues derived from the payment of the tax imposed, as provided, in connection with the sale, or the storage, use, or other consumption, of a work of art, as defined, be allocated to the

California Arts Council to be used exclusively for specified purposes, as provided.

By requiring that the revenues derived from the sales and use taxes, as provided, be allocated to the California Arts Council, this bill would make an appropriation.

Vote: ~~majority~~^{2/3}. Appropriation: ~~no~~^{yes}. Fiscal committee: ~~no~~^{yes}. State-mandated local program: no.

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

1 SECTION 1. Section 7101.2 is added to the Revenue and
2 Taxation Code, to read:

3 7101.2. (a) Notwithstanding Section 7101, all revenues, less
4 refunds, derived from the taxes required to be paid to the state
5 pursuant to Chapter 2 and Chapter 3 of this part in connection
6 with the sale or use of a work of art shall be deposited in the State
7 Treasury to be allocated to the California Arts Council to be used
8 exclusively for the purposes specified in Section 8753 of the
9 Government Code.

10 (b) For purposes of this section, “work of art” means a work
11 of art as defined in subdivision (c) of Section 6365.

12 SECTION 1. Section 8752 of the Government Code is amended
13 to read:

14 ~~8752. The council shall meet at the call of the chairperson no~~
15 ~~more than eight times each calendar year. Unless there are~~
16 ~~extraordinary circumstances, all meetings are to be preceded by~~
17 ~~at least 10 days’ public notice, and shall be held in various places~~
18 ~~throughout the state so as to encourage broad and diverse~~
19 ~~attendance.~~