

AMENDED IN ASSEMBLY SEPTEMBER 4, 2009

**SENATE BILL**

**No. 85**

---

---

**Introduced by ~~Committee on Budget and Fiscal Review~~ Senator  
Cogdill  
(Coauthor: Senator Denham)**

January 20, 2009

---

---

~~An act relating to the Budget Act of 2009. An act to add Section 96.11 to the Revenue and Taxation Code, relating to local government finance.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 85, as amended, ~~Committee on Budget and Fiscal Review~~ *Cogdill*.  
~~Budget Act of 2009. Local government finance.~~

*Existing property tax law requires the county auditor, in each fiscal year, to allocate property tax revenues to local jurisdictions in accordance with specified formulas and procedures, and generally requires that each jurisdiction be allocated an amount equal to the total of the amount of revenue allocated to that jurisdiction in the prior fiscal year, subject to certain modifications, and that jurisdiction's portion of the annual tax increment, as defined.*

*This bill would, for purposes of property tax revenue allocations for the 2011–12 and 2012–13 fiscal years, require the county auditor for a county for which a negative sum was calculated pursuant to a specified former statute, in reducing the amount of property tax revenue otherwise allocated to the county by an amount attributable to that negative sum, to apply a reduction amount equal to the reduction amount determined for the 2010–11 fiscal year. By imposing new duties in the annual allocation of ad valorem property tax revenues, this bill would impose a state-mandated local program.*

*The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that no reimbursement is required by this act for a specified reason.*

~~This bill would express the intent of the Legislature to enact statutory changes relating to the Budget Act of 2009.~~

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

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

1     SECTION 1. Section 96.11 is added to the Revenue and  
 2     Taxation Code, to read:  
 3     96.11. Notwithstanding any other provision of this article, for  
 4     purposes of property tax revenue allocations, the county auditor  
 5     of a county for which a negative sum was calculated pursuant to  
 6     subdivision (a) of former Section 97.75 as that section read on  
 7     September 19, 1983, shall, in reducing the amount of property tax  
 8     revenue that otherwise would be allocated to the county by an  
 9     amount attributable to that negative sum, do all of the following:  
 10    (a) For the 2011–12 and 2012–13 fiscal years, apply a reduction  
 11    amount that is equal to the reduction amount that was determined  
 12    for the 2010–11 fiscal year.  
 13    (b) For the 2013–14 fiscal year, apply a reduction amount that  
 14    is determined on the basis of the reduction amount applied for the  
 15    2010–11 fiscal year, without any increase in that latter amount  
 16    for the 2011–12 and 2012–13 fiscal years.  
 17    (c) For the 2014–15 fiscal year and each fiscal year thereafter,  
 18    apply a reduction amount that is determined on the basis of the  
 19    reduction amount applied for the immediately preceding fiscal  
 20    year.  
 21    SEC. 2. No reimbursement is required by this act pursuant to  
 22    Section 6 of Article XIII B of the California Constitution because  
 23    this act provides for offsetting savings to local agencies or school  
 24    districts that result in no net costs to the local agencies or school  
 25    districts, within the meaning of Section 17556 of the Government  
 26    Code.

1     ~~SECTION 1. It is the intent of the Legislature to enact statutory~~  
2     ~~changes relating to the Budget Act of 2009.~~

O