

AMENDED IN SENATE JULY 9, 2013  
AMENDED IN SENATE JUNE 25, 2013  
AMENDED IN ASSEMBLY MAY 6, 2013  
AMENDED IN ASSEMBLY APRIL 1, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 792**

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**Introduced by Assembly Member Mullin**  
(Principal coauthor: Senator Hill)  
(~~Coauthor: Assembly Member Alejo~~)

February 21, 2013

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An act to add Section 7284.5 to the Revenue and Taxation Code, relating to taxation.

LEGISLATIVE COUNSEL'S DIGEST

AB 792, as amended, Mullin. Utility user tax: exemption: distributed generation systems.

Existing law generally provides that the legislative body of any city and any charter city may make and enforce all ordinances and regulations with respect to municipal affairs, as provided, including, but not limited to, a utility user tax on the consumption of gas and electricity. Existing law provides that the board of supervisors of any county may levy a utility user tax on the consumption of, among other things, gas and electricity in the unincorporated area of the county.

This bill would exempt from any utility user tax imposed by a local jurisdiction, as defined, the consumption of electricity generated by a renewable distributed generation system that is installed *before January 1, 2020*, for the exclusive use of a single customer.

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

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

1 SECTION 1. Section 7284.5 is added to the Revenue and  
2 Taxation Code, to read:  
3 7284.5. (a) For the purposes of this section, “local jurisdiction”  
4 means any city, county, city and county, including any chartered  
5 city, county, or city and county, district, or public or municipal  
6 corporation.  
7 (b) There is exempt from any utility user tax on the consumption  
8 of electricity, imposed by any local jurisdiction, a customer’s  
9 consumption of electricity generated by a renewable distributed  
10 generation system that is installed *before January 1, 2020*, for the  
11 exclusive use of a single customer.  
12 SEC. 2. The Legislature finds and declares that exempting the  
13 consumption of electricity generated by a renewable distributed  
14 generation system that is installed for the exclusive use of a single  
15 customer from local utility user taxes will ensure statewide  
16 uniformity and fairness in the overall imposition of the utility user  
17 tax. Therefore, exempting from utility user taxes the consumption  
18 of electricity generated by a renewable distributed generation  
19 system that is installed for the exclusive use of a single customer  
20 is a matter of statewide concern, and not a municipal affair, as that  
21 term is used in Section 5 of Article XI of the California  
22 Constitution.

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