

ASSEMBLY BILL

No. 2234

Introduced by Assembly Member Ting

February 21, 2014

An act to amend Sections 15640, 15643, and 15645 of the Government Code, relating to the State Board of Equalization.

LEGISLATIVE COUNSEL'S DIGEST

AB 2234, as introduced, Ting. State Board of Equalization: surveys: assessment procedures: counties and cities and counties.

Existing law requires the State Board of Equalization to make surveys in each county and city and county to determine the adequacy of the procedures and practices employed by the county assessor in the valuation of property. Existing law requires the board to provide a right to each county assessor to appeal to the board appraisals made within his or her county where differences have not been resolved before completion of a field review.

This bill would require the board, when appropriate, to also provide a similar right to each former county assessor whose administration is being reviewed to appeal the board appraisals made within his or her county.

Existing law requires the board to proceed with the surveys of the assessment procedures and practices in the several counties and cities and counties as rapidly as feasible, and to repeat or supplement each survey at least once in 5 years.

This bill would eliminate the requirement to proceed with the surveys as rapidly as feasible, and would, instead, require the board to complete each survey within 3 months after the date the board began the survey and to repeat or supplement the survey at least once every 7 years.

Existing law requires the board, upon completion of the survey of the procedures and practices of a county assessor, to prepare a written survey report setting forth its findings and recommendations, and requires the board, before preparing its written survey report, to meet with the assessor to discuss and confer on those matters which may be included in the written survey report. Existing law requires the final survey report to be issued by the board within 2 years after the date the board began the survey.

This bill would require the written survey report to include best practices the county assessor may adopt, and would require the board, before preparing its written survey report, to also meet, when appropriate, with the former assessor whose administration is being reviewed. This bill would shorten the period of time the board has to issue the final survey report from 2 years to 9 months after the date the board began the survey.

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 15640 of the Government Code is
- 2 amended to read:
- 3 15640. (a) The State Board of Equalization shall make surveys
- 4 in each county and city and county to determine the adequacy of
- 5 the procedures and practices employed by the county assessor in
- 6 the valuation of property for the purposes of taxation and in the
- 7 performance generally of the duties enjoined upon him or her.
- 8 (b) The surveys shall include a review of the practices of the
- 9 assessor with respect to uniformity of treatment of all classes of
- 10 property to ensure that all classes are treated equitably, and that
- 11 no class receives a systematic overvaluation or undervaluation as
- 12 compared to other classes of property in the county or city and
- 13 county.
- 14 (c) The surveys may include a sampling of assessments from
- 15 the local assessment rolls. Any sampling conducted pursuant to
- 16 subdivision (b) of Section 15643 shall be sufficient in size and
- 17 dispersion to insure an adequate representation therein of the
- 18 several classes of property throughout the county.

1 (d) In addition, the board may periodically conduct statewide
2 surveys limited in scope to specific topics, issues, or problems
3 requiring immediate attention.

4 (e) The board's duly authorized representatives shall, for
5 purposes of these surveys, have access to, and may make copies
6 of, all records, public or otherwise, maintained in the office of any
7 county assessor.

8 (f) The board shall develop procedures to carry out its duties
9 under this section after consultation with the California Assessors'
10 Association. The board shall also provide a right to each county
11 assessor *and when appropriate, to each former county assessor*
12 *whose administration is being reviewed*, to appeal to the board
13 appraisals made within his or her county where differences have
14 not been resolved before completion of a field review and shall
15 adopt procedures to implement the appeal process.

16 SEC. 2. Section 15643 of the Government Code is amended
17 to read:

18 15643. (a) (1) The board shall ~~proceed with the~~ *conduct*
19 surveys of the assessment procedures and practices in the several
20 counties and cities and counties ~~as rapidly as feasible~~, and shall
21 repeat or supplement each survey at least once in ~~five~~ *seven* years.

22 (2) *Each survey required pursuant to paragraph (1) shall be*
23 *completed within three months after the date the board began the*
24 *survey.*

25 (b) The surveys of the 10 largest counties and cities and counties
26 shall include a sampling of assessments on the local assessment
27 rolls as described in Section 15640. In addition, the board shall
28 each year, in accordance with procedures established by the board
29 by regulation, select at random at least three of the remaining
30 counties or cities and counties, and conduct a sample of
31 assessments on the local assessment roll in those counties. If the
32 board finds that a county or city and county has "significant
33 assessment problems," as provided in Section 75.60 of the Revenue
34 and Taxation Code, a sample of assessments will be conducted in
35 that county or city and county in lieu of a county or city and county
36 selected at random. The 10 largest counties and cities and counties
37 shall be determined based upon the total value of locally assessed
38 property located in the counties and cities and counties on the lien
39 date that falls within the calendar year of 1995 and every fifth
40 calendar year thereafter.

1 (c) The statewide surveys which are limited in scope to specific
2 topics, issues, or problems may be conducted whenever the board
3 determines that a need exists to conduct a survey.

4 (d) When requested by the legislative body or the assessor of
5 any county or city and county to perform a survey not otherwise
6 scheduled, the board may enter into a contract with the requesting
7 local agency to conduct that survey. The contract may provide for
8 a board sampling of assessments on the local roll. The amount of
9 the contracts shall not be less than the cost to the board, and shall
10 be subject to regulations approved by the Director of General
11 Services.

12 SEC. 3. Section 15645 of the Government Code is amended
13 to read:

14 15645. (a) Upon completion of a survey of the procedures and
15 practices of a county assessor, the board shall prepare a written
16 survey report setting forth its findings and recommendations *that*
17 *shall include, but not be limited to, best practices the county*
18 *assessor may adopt*, and transmit a copy to the assessor. In addition
19 the board may file with the assessor a confidential report containing
20 matters relating to personnel. Before preparing its written survey
21 report, the board shall meet with the assessor *and when*
22 *appropriate, the former assessor whose administration is being*
23 *reviewed*, to discuss and confer on those matters which may be
24 included in the written survey report.

25 (b) Within 30 days after receiving a copy of the survey report,
26 the assessor may file with the board a written response to the
27 findings and recommendations in the survey report.

28 The board may, for good cause, extend the period for filing the
29 response.

30 (c) The survey report, together with the assessor’s response, if
31 any, and the board’s comments, if any, shall constitute the final
32 survey report. The final survey report shall be issued by the board
33 ~~within two years~~ *nine months* after the date the board began the
34 survey. Within a year after receiving a copy of the final survey
35 report, and annually thereafter, no later than the date on which the
36 initial report was issued by the board and until all issues are
37 resolved, the assessor shall file with the board of supervisors a
38 report, indicating the manner in which the assessor has
39 implemented, intends to implement or the reasons for not
40 implementing, the recommendations of the survey report, with

1 copies of that response being sent to the Governor, the Attorney
2 General, the State Board of Equalization, the Senate and Assembly
3 and to the grand juries and assessment appeals boards of the
4 counties to which they relate.

O