

**Introduced by Senator Hertzberg**

February 19, 2016

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An act to amend Sections 742 and 744 of the Revenue and Taxation Code, relating to taxation.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1329, as introduced, Hertzberg. Property tax: reassessment: electronic mail.

With respect to state-assessed property, existing property tax law establishes a procedure by which an assessee may petition the State Board of Equalization for reassessment of unitary or nonunitary property. Existing property tax law requires the board to mail to the assessee the notice of the time and place of a hearing on the petition and the decision on the petition. Existing property tax law requires the notice of the time and place of a hearing be sent at least 10 working days in advance of the date of the hearing.

This bill would require the board to send these documents to the assessee's electronic mail address if the assessee requests that they be sent by electronic mail. The bill would also require that notice of the time and place of the hearing instead be sent at least 15 working days in advance of the date of the hearing.

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 742 of the Revenue and Taxation Code  
2     is amended to read:

1     742. Upon receipt of a timely petition for reassessment, the  
2 board shall set a time and place within the state for hearing on the  
3 petition. Notice ~~thereof of the time and place of the hearing~~ shall  
4 be mailed *and, if requested by the assessee, electronically mailed*  
5 to the assessee at its ~~address~~ *address, electronic mail address, or*  
6 *both*, as shown in the records of the board, not less than ~~10~~ 15  
7 working days in advance of the date of the hearing.

8     SEC. 2. Section 744 of the Revenue and Taxation Code is  
9 amended to read:

10     744. (a) The board shall notify the petitioner of its decision  
11 on a petition for reassessment by mail *and, if requested by the*  
12 *assessee, by electronic mail* and shall make written findings and  
13 conclusions if requested at or prior to the commencement of the  
14 hearing. The board shall send a periodic report of its decisions and  
15 any written findings and conclusions thereon to each county in  
16 which affected state-assessed property is situated. The findings  
17 shall fairly disclose the board's determination of material factual  
18 issues and shall contain a statement of the method or methods of  
19 valuation used by the board in valuing the property.  
20 Notwithstanding the requirement for a statement of method or  
21 methods, the board's approval of a settlement of a lawsuit  
22 contesting the value of state-assessed property shall be sufficient  
23 disclosure when value is determined in accordance with a  
24 board-approved settlement. Decisions of the board on petitions for  
25 reassessment of state-assessed property shall be completed on or  
26 before December 31.

27     (b) When the value of an assessee's state-assessed property is  
28 determined, after a hearing on a petition for reassessment, to be  
29 different from the value originally adopted by the board, the board  
30 shall determine the year in which the corrected value is to be  
31 entered on the roll. The correct value may be entered on the roll  
32 for the fiscal year in which the determination is made, or the  
33 difference between the original and the corrected value may be  
34 entered as an increase or decrease in the assessment for the  
35 succeeding fiscal year. If the corrected value is entered on the roll  
36 for the fiscal year in which it is determined, and the board roll has  
37 been transmitted to the county auditors, the board shall make the  
38 corresponding changes in allocations and transmit the roll  
39 corrections to the county auditor.

1 (c) If the amount of the correction is to be entered on the roll  
2 for the succeeding fiscal year, an amount is to be added in lieu of  
3 interest. If the correction results in a reduction in assessed value,  
4 there shall be added to the reduction, in lieu of interest, 9 percent  
5 of the difference between the original assessed value and the  
6 reduced assessed value. If the correction results in an increase in  
7 assessed value, there shall be added to the increase, in lieu of  
8 interest, 9 percent of the difference between the original assessed  
9 value and the increased assessed value.

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