

ANALYSIS OF ORIGINAL BILL

Franchise Tax Board

Author: AR&T Committee Analyst: John Pavalasky Bill Number: AB 1743

Related Bills: _____ Telephone: 845-4335 Introduced Date: March 11, 2003

Attorney: Patrick Kusiak Sponsor: Franchise Tax Board

SUBJECT: Annual Technical Code Maintenance

SUMMARY

This is the Franchise Tax Board's annual code maintenance bill.

PURPOSE OF THE BILL

This code maintenance bill would prevent confusion for taxpayers and the department when applying state law by correcting cross-references, repealing obsolete provisions contained in state law, and amending provisions to reflect the current style for drafting legislation.

EFFECTIVE/OPERATIVE DATE

If enacted in the 2003 legislative session as a technical measure, this proposal would be effective and operative January 1, 2004.

POSITION

Support.

On November 26, 2002, the Franchise Tax Board voted 2-0 to sponsor the language included in this bill.

ANALYSIS

STATE LAW

As sections of state law are amended, references to those sections in other parts of the law are sometimes not updated to reflect the amendment. In addition, certain provisions of the law become obsolete through the passage of time, but are not eliminated from the law. Finally, provisions enacted in earlier years may not reflect the current legislative style for drafting legislation.

Incorrect cross-references, obsolete provisions, and terminology that are not consistent with the current style for drafting legislation can create confusion for taxpayers and the department when applying state law.

Board Position:

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Department Director
Gerald H. Goldberg

Date
04/03/03

THIS BILL

This bill would make the changes shown in the following table to correct cross-references, repeal obsolete provisions contained in state law, and amend provisions to reflect the current style for drafting legislation.

Business & Professions Code Section	Cross-reference	Obsolete Language	Terminology
17539.3	X		
Education Code Section	Cross-reference	Obsolete Language	Terminology
32311	X		
Govt. Code Section	Cross-reference	Obsolete Language	Terminology
7162	X		
Health & Safety Code Section	Cross-reference	Obsolete Language	Terminology
38040	X		
Vehicle Code Section	Cross-reference	Obsolete Language	Terminology
5060	X		
R&TC Section	Cross-reference	Obsolete Language	Terminology
17020.5			X
17020.11			X
17054		X	
17072		X	
17088.5		X	
17088.6		X	
17140.5		X	
17509			X
17510			X
17856			X
18006			X
18036.5		X	
18037		X	X
18037.3		X	
18037.5		X	
18038			X
18039			X
18043		X	

<u>R&TC Section</u>	<u>Cross-reference</u>	<u>Obsolete Language</u>	<u>Terminology</u>
18044		X	
18155.5		X	
18171			X
18171.5			X
18177			X
19022		X	
19023		X	
19024		X	
19062		X	
19182	X		
23036	X	X	
23043.5			X
23772		X	
23809		X	X
24871.5		X	
24872.4		X	X
24872.5		X	
24991			X

IMPLEMENTATION CONSIDERATIONS

Implementation of this proposal would not significantly impact the department.

FISCAL IMPACT

This proposal would not impact the department's costs.

ECONOMIC IMPACT

Revenue Estimate

This proposal would not affect state income tax revenues.

ARGUMENTS/POLICY CONCERNS

Obsolete cross-references should be corrected, obsolete provisions should be eliminated, and provisions should be amended to reflect the current style for drafting legislation to prevent confusion for taxpayers and the department when applying state law.

LEGISLATIVE STAFF CONTACT

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