

NO ANALYSIS REQUIRED

Franchise Tax Board

Author: Escutia Analyst: Darrine Distefano Bill Number: SB 17

Related Bills: None Telephone: 845-6458 Amended Date: August 23, 2004

Attorney: Patrick Kusiak Sponsor: _____

SUBJECT: FTB Notify BOE If An Entity Doesn't Respond To The Question On The Income Tax Return Regarding Change In Ownership Of Real Property

- ANALYSIS NOT REQUIRED of this bill -- Not within scope of responsibility of this department.
- TECHNICAL BILL -- No program or fiscal changes to existing program.
- BILL AS AMENDED NO LONGER WITHIN SCOPE of responsibility or program of the department.
- TECHNICAL AMENDMENT -- No change in previously submitted analysis required. Approved position of prior analysis is _____.
- MINOR AMENDMENT -- No change in previously submitted analysis required. Approved position of prior analysis is No Position.
- MINOR AMENDMENT -- No change in approved position of _____.
See comments below.
- OTHER - See comments below.

COMMENTS:

This bill would require the Franchise Tax Board to report the name and address of an entity that fails to respond to the real property change of ownership question on its income or franchise tax return. The report would be made to the Board of Equalization (BOE).

The August 23, 2004, amendments would do the following:

- Remove legislative intent language,
- Assess a penalty if an entity willfully fails to disclose or willfully misrepresents information regarding the change of ownership, and
- Require an entity to provide certain records or documents regarding the change of ownership.

These changes would not impact the department. The department's previous analysis dated August 12, 2004, still applies.

Board Position:

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 N OUA PENDING

Franchise Tax Board Staff

Date

Darrine Distefano

8/27/04