

ANALYSIS OF ORIGINAL BILL

Franchise Tax Board

Author: Poochigian Analyst: LuAnna Hass Bill Number: SB 448

Related Bills: See Legislative History Telephone: 845-7478 Introduced Date: February 20, 2003

Attorney: Patrick Kusiak Sponsor: _____

SUBJECT: FTB Include Voter Registration Card With Mailing Of Annual Tax Forms

SUMMARY

This bill would require the Franchise Tax Board (FTB) to include a voter registration card with the Personal Income Tax (PIT) forms that are mailed annually to taxpayers.

PURPOSE OF THE BILL

According to the author's staff, the purpose of this bill is to increase voter registration.

EFFECTIVE/OPERATIVE DATE

This bill would be effective and operative January 1, 2004, and apply to all tax booklets mailed after that date.

POSITION

Pending.

ANALYSIS

FEDERAL/STATE LAW

Congress enacted the National Voter Registration Act (NVRA) to: (1) establish procedures that will increase the number of eligible citizens who register to vote in elections for federal office; (2) make it possible for federal, state and local governments to implement the act in a manner that enhances the participation of eligible citizens as voters in elections for federal office; (3) protect the integrity of the electoral process; and (4) ensure that accurate and current voter registration rolls are maintained.

Existing state law states it is the intent of the Legislature that voter registration be maintained at the highest possible level and requires the Secretary of State (SOS) to adopt regulations requiring each county to design and implement programs to identify qualified electors who are not registered voters and attempt to register those persons to vote.

THIS BILL

This bill would require FTB to include a voter registration card with the PIT forms that are mailed annually to taxpayers.

Board Position:

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Department Director
Gerald H. Goldberg

Date
03/25/03

IMPLEMENTATION CONSIDERATIONS

This bill would require FTB to include a voter registration card in the PIT booklet, but does not specify the origin of the registration card. The department currently provides an SOS approved paragraph regarding voter registration information on the "Additional Information" page of the 2002 PIT booklet. To ensure the correct information is included on the voter registration card, department staff suggests amending the bill to require SOS to provide the approved voter registration card to the Office of State Printing for inclusion in the binding of the PIT booklets.

LEGISLATIVE HISTORY

SB 86 (Murray, 1999/2000) would have required FTB to provide voter registration information provided by the SOS to taxpayers by either:

- including an insert prepared by the SOS containing voter registration information in the pamphlet of instructions that accompanies PIT returns; or
- providing space for the voter registration information in the pamphlet of instructions that accompanies PIT returns.

The Governor vetoed this bill because of the significant burden the provisions of the bill would put on state and local agencies.

Public Law 103-31, Section 2, May 20, 1993, 107 Stat. 77, enacted the National Voter Registration Act of 1993 (42 U.S.C. Sec. 1973gg et seq.).

OTHER STATES' INFORMATION

A review of the personal income tax booklets for *Illinois, Massachusetts, Michigan, Minnesota, and New York* found no references to voter registration information. These states were reviewed because of the similarities between California income tax laws and their tax laws.

Florida has no personal income tax; therefore voter registration information is not applicable.

FISCAL IMPACT

The department's costs to administer this bill cannot be determined until the implementation concern has been resolved. However, the costs to implement this bill could be significant if FTB is required to create, print, and bind the voter registration cards into the PIT booklets. However, the department would not incur any costs if SOS were responsible for providing the voter registration card to the Office of State Printing for inclusion into the binding of the PIT booklets.

ECONOMIC IMPACT

This bill would not impact state income tax revenue.

POLICY CONSIDERATION

The department mailed approximately 3.3 million PIT booklets for the 2002 tax year. However, the number of PIT booklets mailed is decreasing each year due to an increase in the electronic filing of tax returns. As a result, this bill may not reach as many potential voters as the author may anticipate.

LEGISLATIVE STAFF CONTACT

LuAnna Hass
Franchise Tax Board
845-7478
LuAnna.Hass@ftb.ca.gov

Brian Putler
Franchise Tax Board
845-6333
Brian.Putler@ftb.ca.gov