

SUMMARY ANALYSIS OF AMENDED BILL

Author: Assembly Rev & Tax Committee Analyst: Deborah Barrett Bill Number: AB 1747

Related Bills: See Prior Analysis Telephone: 845-4301 Amended Date: July 18, 2007

Attorney: Tommy Leung Sponsor: _____

SUBJECT: Check Cashier Reporting Requirements Not Applicable to Incidental Cashers/Use of Last Known Address/TBOR Change Due Date Of Report To Legislature

- DEPARTMENT AMENDMENTS ACCEPTED. Amendments reflect suggestions of previous analysis of bill as introduced/amended _____.
- AMENDMENTS IMPACT REVENUE. A new revenue estimate is provided.
- AMENDMENTS DID NOT RESOLVE THE DEPARTMENTS CONCERNS stated in the previous analysis of bill as introduced/amended _____.
- FURTHER AMENDMENTS NECESSARY.
- DEPARTMENT POSITION CHANGED TO _____.
- REMAINDER OF PREVIOUS ANALYSIS OF BILL AS AMENDED July 2, 2007, STILL APPLIES.
- OTHER – See comments below.

SUMMARY

This bill would make three changes to the Revenue and Taxation Code:

- Revise check cashier reporting requirements to not apply to government, payroll, or one-party checks, as defined,
- Define the term "last known address" for legal notices, and
- Change the date that the annual Taxpayers' Bill of Rights Report is due to the Legislature.

The provisions that would define the term "last known address" and would change the due date of the annual Taxpayers' Bill of Rights Report are Franchise Tax Board (FTB) sponsored provisions.

SUMMARY OF AMENDMENTS

The July 18, 2007, amendments would do the following:

- Remove the reference to and definition of "incidental check cashier,"
- Exempt one-party checks from the reporting requirements,
- Add a definition for "one-party checks," and
- Clarify the definition of "check cashier" for purposes of the reporting requirement.

The "This Bill" discussion has been revised. The remainder of the department's analysis of the bill as amended July 2, 2007, still applies.

Board Position:	Legislative Director	Date
<input checked="" type="checkbox"/> S	Brian Putler	7/30/07
_____ NA		
_____ SA		
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_____ PENDING		

POSITION

On December 4, 2006, the Franchise Tax Board voted 2-0, with the member from the Department of Finance abstaining, to sponsor the provisions of this bill regarding the last known address and the Taxpayers' Bill of Rights Report due date.

THIS BILL

This bill would exclude one-party checks, payroll checks, and government checks, as defined, from the reportable transactions required to be made by check cashers. One-party checks would be defined as checks drawn on the maker's account and presented by the maker. Payroll checks would be defined as checks subject to withholding under the Unemployment Insurance Code and subject to certain fee restrictions under the Civil Code. Government checks would be defined as checks issued by a federal, state, or local entity.

LEGISLATIVE STAFF CONTACT

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