

ANALYSIS OF ORIGINAL BILL

Franchise Tax Board

Author: Committee On
Accountability &
Administrative Review

Analyst: William Koch

Bill Number: AB 1585

Related Bills: See Legislative
History

Telephone: 845-4372

Introduced Date: July 9, 2009

Attorney: Patrick Kusiak

Sponsor: _____

SUBJECT: State Agencies Submit Summaries Of Required Reports To Members Of Appropriate House Instead Of Legislative Counsel/Bills Requiring Reports Shall Include Repeal Date

SUMMARY

This analysis does not address provisions of the bill that impact the Legislative Counsel.

This bill would require all state agencies to provide a summary of any required report to each member of the house or houses of the Legislature, as appropriate.

PURPOSE OF THE BILL

According to the author's office, the purpose of this bill is to create efficiencies relating to required reports due to the Legislature from state and local agencies.

EFFECTIVE/OPERATIVE DATE

As an urgency statute, this bill would be effective and operative immediately upon enactment.

POSITION

Pending.

ANALYSIS

STATE LAW

State law provides that any report required or requested by law to be submitted by a state or local agency to the members of either house of the Legislature generally shall instead be submitted to the Legislative Counsel, the Secretary of the Senate, and the Chief Clerk of the Assembly, unless the report is required or requested by law to be directed to a committee or other specified entity within the Legislature. Each report must include a summary of its contents, not to exceed one page. The Legislative Counsel is required to provide a copy of the summary to each member of the appropriate house or houses of the Legislature within two working days of receipt of the summary.

Board Position:

_____ S _____ NA _____ NP
_____ SA _____ O _____ NAR
_____ N _____ OUA X PENDING

Department Director

Date

Selvi Stanislaus

08/28/09

Under current state law, the Franchise Tax Board (FTB) is required to make available or submit to the Legislature the following reports:

- Annual Taxpayers' Bill of Rights
- Assignment of California Tax Law Credits
- Customer Service Contact Center
- Employers Child Care Assistance Credits
- Enterprise Zones
- Qualified Dependent Care Credit Plan
- Ready Return
- Status of Liquidated and Delinquent Accounts
- Summary of Federal Income Tax Changes

THIS BILL

This bill would require all state agencies, including FTB, to provide a summary of any required report to each member of the house or houses of the Legislature, as appropriate.

IMPLEMENTATION CONSIDERATIONS

Implementing this bill would not significantly impact the department's programs and operations.

LEGISLATIVE HISTORY

SB 1641 (Oropeza, 2007/2008) would have allowed FTB to send any required report to the Legislature in electronic format instead of printing and mailing paper copies of the report. This bill was vetoed by Governor Schwarzenegger, whose veto message can be found in Appendix A.

AB 219 (Nakanishi, 2005/2006) would have established procedures for state agencies to submit mandated reports to the Legislature, the Governor, or specified committees of the Legislature. This bill failed to pass out of the Senate Committee on Appropriations by the constitutional deadline.

AB 2482 (Campbell, 2003/2004) would have required state agencies to submit reports electronically and submit printed copies of the reports upon request. This bill failed passage from the Business & Professions Committee.

AB 2198 (Liu, 2003/2004) would have established procedures for state agencies to submit mandated reports. In addition, this bill would have required state agencies to have electronic versions of reports available for download. This bill failed to pass out of the house of origin by the constitutional deadline.

OTHER STATES' INFORMATION

Florida, Illinois, Massachusetts, Michigan, Minnesota, and New York laws require most state agencies to submit reports to the Legislature. Each state has a varying degree of specificity as to topic and who the reports are distributed to within the Legislature.

FISCAL IMPACT

This bill would not significantly impact the department's costs.

ECONOMIC IMPACT

This bill would not impact state income tax revenue.

LEGISLATIVE STAFF CONTACT

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Appendix A

BILL NUMBER: SB 1641
VETOED DATE: 09/27/2008

To the Members of the California State Senate:

I am returning Senate Bill 1641 without my signature.

The historic delay in passing the 2008-2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

Sincerely,

Arnold Schwarzenegger