

State of California

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Legislative Change No. 09-18
Bill Number: AB 1046 Author: Anderson, et al. Chapter Number: 09-499

Laws Affecting Franchise Tax Board: Sections 703.150 and 704.730 of the Code of Civil Procedure

Date Filed with the Secretary of State: October 11, 2009

SUBJECT: Homestead Exemption Increase/Judicial Council

Assembly Bill 1046 (Anderson, et al.), as enacted on October 11, 2009, made the following changes to laws impacting the Franchise Tax Board:

Section 703.150 of the Code of Civil Procedure is amended.

This act provides that beginning on April 1, 2010, and at each three-year interval ending on April 1 thereafter, the Judicial Council shall determine, subject to approval by the Legislature, the dollar amount increases for the homestead exemption allowed under Code of Civil Procedure section 704.730.

Section 704.730 of the Revenue Procedure is amended.

This act increases the homestead exemption amount from \$50,000 to \$75,000, unless either of the following apply:

- The judgment debtor or spouse of the judgment debtor who resides in the homestead is, at the time of the sale, a member of a family unit, and one member of the family unit is without an interest, or with only a limited interest, in the homestead. In this case, the homestead exemption is increased from \$75,000 to \$100,000.
- The judgment debtor or the spouse of the judgment debtor who resides in the homestead is, at the time of the sale, 65 years of age or older, disabled, or 55 years of age or older with a limited income. In this case, the homestead exemption is increased from \$150,000 to \$175,000.

This act is effective on January 1, 2010, and operative as of that date.

This act will not require any reports by the department to the Legislature.

Assistant Bureau Director
Patrice Gau-Johnson

Date
10/29/09