Franchise Tax Board

ANALYSIS OF ORIGINAL BILL

Author:	Perez	Analyst:	Janet Jennings	Bill Number:	AB 1365
Related Bills:	See Legislative History	Telephone:	845-3495	Introduced Date:	February 22, 2013
		Attorney:	Patrick Kusiak	Sponsor:	

SUBJECT: State Agency Reports Printed Copy to SOS/Electronic or Printed to Legislative Counsel & Clerk

SUMMARY

This bill would allow state or local agencies to submit reports required or requested by law to the Legislative Counsel in either an electronic or printed format.

RECOMMENDATION

No position.

REASON FOR THE BILL

The reason for this bill is to create efficiencies relating to required reports due to the Legislature from state and local agencies.

EFFECTIVE/OPERATIVE DATE

This bill would become effective and operative January 1, 2014.

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 as an electronic copy to 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:			Executive Officer	Date
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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
- Fresh Fruits & Vegetables Estimated Donated Value
- Financial Integrity and State Manager's Accountability Act
- Enterprise Data to Revenue Project
- Multistate Tax Commission Formula for Uniform Apportionment of Net Income from Financial Institutions
- IT Contracts and Software License Agreements
- Enterprise Zones
- Summary of Federal Income Tax Changes

THIS BILL

This bill would allow state agencies, including the FTB, the option to submit required reports to the Legislative Counsel in an electronic or paper format.

IMPLEMENTATION CONSIDERATIONS

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

LEGISLATIVE HISTORY

SB 1641 (Oropeza, Vetoed, 2008) would have allowed the FTB to send any required report to the Legislature in electronic format instead of printing and mailing paper copies of the report. The veto message can be found in Appendix A.

AB 1585 (Chapter 7, Statutes of 2010) required all state agencies, including the FTB, to provide a summary of any required report to each member of the house or houses of the Legislature, as appropriate.

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.

SUPPORT/OPPOSITION

Support: None on file.

Opposition: None on file.

ARGUMENTS

Proponents: Some could argue that the option to provide reports electronically would increase the state government's efficiency.

Opponents: Some could argue that electronic reports would have no impact on the efficiency of state government.

LEGISLATIVE STAFF CONTACT

Janet Jennings	Mandy Hayes	Gail Hall
Legislative Analyst, FTB	Revenue Manager, FTB	Legislative Director, FTB
(916) 845-3495	(916) 845-5125	(916) 845-6333
janet.jennings@ftb.ca.gov	mandy.hayes@ftb.ca.gov	gail.hall@ftb.ca.gov

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