

NO ANALYSIS REQUIRED

Franchise Tax Board

Author: Cardenas Analyst: Roger Lackey Bill Number: AB 83

Related Bills: See Prior Analysis Telephone: 845-3627 Amended Date: 07-12-99

Attorney: Patrick Kusiak Sponsor: _____

SUBJECT: Local Business License, Permit, Taxes & Registration Fees/Prohibit Imposing On Writers, Musicians, Directors Or Other Creative Artists

- ANALYSIS NOT REQUIRED of this bill -- Not within scope of responsibility of this department.
- TECHNICAL BILL -- No program or fiscal changes to existing program.
- BILL AS AMENDED NO LONGER WITHIN SCOPE of responsibility or program of the department.
- TECHNICAL AMENDMENT - No change in previously submitted analysis required. Approved position of prior analysis is _____.
- MINOR AMENDMENT - No change in previously submitted analysis required. Approved position of prior analysis is _____.
- MINOR AMENDMENT - No change in approved position of _____. See comments below.
- OTHER - See comments below.

COMMENTS:

Under the Business and Professions Code, this bill would prohibit a city within a county of the first class from requiring that a person who is a writer, musician, director, or other creative artist obtain a business license or permit or pay a business tax or registration fee solely because that person receives income for work performed at or from the person's place of residence.

The July 12, 1999, amendment expanded the Legislative intent and provided that the purpose of this bill would be to clarify certain characteristics intended to define, for the purpose of local business tax and licensing, those persons who are businesses and those who are not.

AB 1105 (Stats. 1999, Ch. 67) removed the requirement that cities which maintain a computerized record-keeping system or which have access to such a system annually furnish the Franchise Tax Board (FTB) with information regarding taxpayers who pay city business license taxes. As a result, beyond the fact that the individuals described above may no longer be claiming business licenses or taxes as income tax deductions, AB 83 would not impact the department's programs and operations.

Board Position:

<input type="checkbox"/> S	<input type="checkbox"/> NA	<input checked="" type="checkbox"/> NP
<input type="checkbox"/> SA	<input type="checkbox"/> O	<input type="checkbox"/> NAR
<input type="checkbox"/> N	<input type="checkbox"/> OUA	<input type="checkbox"/> PENDING

Franchise Tax Board Staff

Date

Roger Lackey

7/21/1999