

# SUMMARY ANALYSIS OF AMENDED BILL

## Franchise Tax Board

Author: Rev & Tax Committee Analyst: Gloria McConnell Bill Number: SB 2170

Related Bills: See Prior Analysis Telephone: 845-4336 Amended Date: 08/24/00

Attorney: Patrick Kusiak Sponsor:

**SUBJECT:** Miscellaneous FTB Tax Provisions

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 DEPARTMENT'S 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 08/07/00 STILL APPLIES.

OTHER - See comments below.

### SUMMARY OF BILL

This bill would make several amendments of a technical nature to the laws administered by the Franchise Tax Board (FTB). It would:

1. Clarify that trade or business property may not be levied by FTB unless the levy is approved by FTB's assistant executive officer or FTB finds that collection of the tax is in jeopardy.
2. Correct an error inadvertently created by SB 1229 (Stats. 1999, Ch. 987) and carry out the intent of SB 1229 by providing relief from the annual limited partnership (LP) tax for specified limited partnerships.
3. Provide that adjustments made by FTB to the amount claimed by a taxpayer under the refundable child and dependent care credit law could be treated by FTB as a math error correction, but the taxpayer would be allowed the right to protest and appeal FTB's adjustment.

### SUMMARY OF AMENDMENT

The August 24, 2000, amendments do not affect the laws administered by FTB and would not affect state income or franchise tax revenue.

### BOARD POSITION

Pending.

The FTB has not had an opportunity to take a position on this bill.

### Board Position:

S                       NA                       NP  
 SA                       O                         NAR  
 N                         OUA                     PENDING

Legislative Director

Date

Johnnie Lou Rosas

9/12/00