

TITLE 18. FRANCHISE TAX BOARD  
AMENDMENT TO PROPOSED REGULATION SECTION 19266,  
RELATING TO FINANCIAL INSTITUTION RECORD MATCH

A hearing was held on March 27, 2013 by Kenneth Davis and Bruce Langston, the "hearing officers" from the Franchise Tax Board Legal Division. The hearing was on proposed Regulation section 19266, which was noticed in the California Regulatory Notice Register on January 18, 2013.

Department staff reviewed the proposed regulation language and considered the comments submitted during and after the hearing. The hearing officers recommend changes to the proposed regulation, summarized below:

- Subsection (a) changes the term "system" to "program," for clarity
- Subsections (a) and (d) are changed to add the term "non-tax" debt, consistent with usage of that term in Revenue and Taxation Code section 19266.
- Subsection (b) is changed to refer to and incorporate by reference [FTB Publication 2057 \(rev. 08-2013\)](#), FIRM General Information Booklet.
- Subsections (c ), (e), and (f) are changed to refer to and incorporate by reference [FTB Form 2060 PC \(rev. 08-2013\)](#), Election.
- Subsections (d) and (g) are changed to refer to the secured internet transfer protocol set forth in FTB Publication 2057, FIRM General Information Booklet, and FTB Form 2060 PC, Election.
- Subsection (d) also changes to the phrase, "process the data exchange" to "match the data," for clarity.
- Subsection (g) changes "forms and instructions" to "the specifications."
- Subsections (d), (h), (i), (l) and (m) are changed to delete unnecessary language.
- Subsection (i) changes "will" to "shall" and deletes "forms and instructions."
- Subsections (j) and (k) are changed to move the reference to Revenue and Taxation Code section 19266 and the appropriate subdivision to the beginning of the sentence. Additionally, both subdivisions are changed to refer to and incorporate by reference [FTB Form 2058 PC \(rev. 08-2013\)](#), Temporary Exemption/Suspension Request and FTB Form 2060 PC, Election.
- Subsection (l) is changed to changed to refer to and to incorporate by reference [FTB Form 2059 PC \(rev. 08-2013\)](#), Reimbursement Invoice.
- Subsection (n), referring to the operative date, is deleted.
- Throughout the regulation, phrases such as "FIRM Program Administrator," FIRM Participation Schedule," and "Transmitter" are provided in a uniform format.
- Throughout the regulation, when using the phrases "sixty (60) days" or "thirty (30) days," the word "calendar" is deleted.

These nonsubstantial or sufficiently related changes are being made available to the public for the 15-day period required by Government Code section 11346.8, subdivision (c), and Section 44 of Title 1 of the California Code of Regulations. Written comments regarding these changes will be accepted until 5:00 p.m. on December 23, 2013.

Following the hearing on March 27, 2013, department staff also reviewed the Initial Statement of Reasons for Proposed Regulation 19266 (ISR). Department staff made revisions to the ISR, all of which have no impact on the text or scope of the proposed regulation. A copy of the revised ISR is available for inspection in the public file of the Franchise Tax Board, upon request. Individuals may also comment on the revised ISR during the 15-day period. Written comments regarding these changes will be accepted until 5:00 p.m. on December 23, 2013.

A copy of the proposed amendments is being sent to all individuals who requested notification of such changes, as well as those who attended the hearing and those who commented orally or in writing, and will be available to other persons upon request. All inquiries and written comments concerning this notice should be directed to Colleen Berwick at (916) 845-3306, FAX (916) 845-3648, E-Mail: [colleen.berwick@ftb.ca.gov](mailto:colleen.berwick@ftb.ca.gov), or by mail to the Legal Division, Attn: Colleen Berwick, P.O. Box 1720, Rancho Cordova, CA 95741-1720. This notice and the proposed amendment will also be made available at the Franchise Tax Board's website at [www.ftb.ca.gov](http://www.ftb.ca.gov).