



COUNTY OF SAN DIEGO

BOARD OF SUPERVISORS

1600 PACIFIC HIGHWAY, ROOM 335, SAN DIEGO, CALIFORNIA 92101-2470

AGENDA ITEM

DATE: April 23, 2013

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TO: Board of Supervisors

SUBJECT: STATE RESPONSIBILITY AREA FIRE TAX LEGISLATION (DISTRICTS: ALL)

SUMMARY

Overview

The State Responsibility Area (SRA) Fire Prevention Benefit Tax was enacted following the signing of Assembly Bill X1 29 in July of 2011. The law approved the annual fire prevention tax within the SRA to pay for state fire prevention services. The tax is levied at the rate of \$150 per habitable structure, which is defined as a building that can be occupied for residential use. Owners of habitable structures who are also within the boundaries of a local fire protection agency will receive a reduction of \$35 per habitable structure, but they must pay the tax in addition to what they pay their fire protection agency.

The tax does nothing to bolster fire protection or improve response times within the SRA. This Board unanimously voted to oppose the SRA tax, as have numerous other counties and taxpayer advocacy groups. The SRA tax is currently being challenged in court by the Howard Jarvis Taxpayers Association.

There are several bills circulating in the Legislature addressing this tax. Assembly Bill 23 (AB 23) and Assembly Bill 124 (AB 124) would both repeal the SRA tax. Assembly Bill 468 (AB 468) would repeal the SRA tax and replace it with a broader 4.8 percent surcharge on all property insurance bills paid by California property owners, essentially replacing one bad tax with another. The action today will put this Board on record in support of AB 23 and AB 124 and in opposition of AB 468.

Recommendation(s)

VICE-CHAIRWOMAN DIANNE JACOB AND SUPERVISOR BILL HORN

1. Direct the Chief Administrative Officer (CAO) to draft a letter communicating this Board of Supervisors' support of State Assembly Bill 23 (Donnelly) and State Assembly Bill 124 (Morrell) to San Diego County's legislative representatives in Sacramento and to the appropriate members of the State Legislature and Administration.

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ALL)

2. Direct the CAO to draft a letter expressing this Board of Supervisors' opposition to State Assembly Bill 468 (Chesbro) to San Diego County's legislative representatives in Sacramento and to the appropriate members of the State Legislature and Administration.

Fiscal Impact

There is no fiscal impact associated with this action.

Business Impact Statement

N/A

Advisory Board Statement

N/A

Background

The State Responsibility Area (SRA) Fire Prevention Benefit Tax was enacted following the signing of Assembly Bill X1 29 in July of 2011. The law approved the annual fire prevention tax within the SRA to pay for state fire prevention services.

The tax is levied at the rate of \$150 per habitable structure, which is defined as a building that can be occupied for residential use. Owners of habitable structures who are also within the boundaries of a local fire protection agency will receive a reduction of \$35 per habitable structure, but they must pay the tax in addition to what they pay their fire protection agency. For homeowners paying both property taxes and voter-approved benefit fees, this additional tax amounts to triple-taxation.

Although the tax is intended to fund a variety of fire prevention services within the SRA, including brush clearance on public lands along roadways and evacuation routes, it appears as though almost all of the revenue is going to stay in the bureaucracy in Sacramento. The tax does nothing to bolster fire protection or improve response times within the SRA. This Board unanimously voted to oppose the SRA tax, as have numerous other counties and taxpayer advocacy groups. The SRA tax is currently being challenged in court by the Howard Jarvis Taxpayers Association.

There are several bills circulating in the Legislature addressing this tax. Assembly Bill 23 (AB 23) and Assembly Bill 124 (AB 124) would both repeal the SRA tax. Assembly Bill 468 (AB 468) would repeal the SRA tax and replace it with a broader 4.8 percent surcharge on all property insurance bills paid by California property owners, essentially replacing one bad tax with another. The action today will put this Board on record in support of AB 23 and AB 124 and in opposition of AB 468. We urge your support.

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Linkage to the County of San Diego Strategic Plan

N/A

Respectfully submitted,

DIANNE JACOB
Vice-Chairwoman

BILL HORN
Supervisor, Fifth District

ATTACHMENT(S)

N/A

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ALL)

AGENDA ITEM INFORMATION SHEET

REQUIRES FOUR VOTES: Yes No

WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED
 Yes No

PREVIOUS RELEVANT BOARD ACTIONS:
N/A

BOARD POLICIES APPLICABLE:
N/A

BOARD POLICY STATEMENTS:
N/A

MANDATORY COMPLIANCE:
N/A

**ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION
NUMBER(S):**
N/A

ORIGINATING DEPARTMENT: Supervisor Bill Horn and Vice-Chairwoman Dianne Jacob

OTHER CONCURRENCE(S): N/A

CONTACT PERSON(S):

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