

1 [Other Negligence Penalties]

2 AMENDING ARTICLE 6 OF PART III OF THE SAN FRANCISCO MUNICIPAL CODE  
3 (REVENUE AND FINANCE/BUSINESS REGULATIONS) BY AMENDING SECTION 6.17-2  
4 THERETO, IMPOSING A MONTHLY PENALTY OF FIVE PERCENT (5%) OF THE AMOUNT  
5 OF A UNDERREPORTED TAX (UP TO A MAXIMUM OF TWENTY PERCENT (20%)),  
6 WHERE SUCH UNDERREPORTING IS DUE TO NEGLIGENCE OR INTENTIONAL  
7 DISREGARD OF THE RULES AND REGULATIONS.

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9 Note: Additions are underlined; deletions are in ((double parentheses)).

10 Be it ordained by the People of the City and County of San Francisco:

11 Section 1. Article 6 of the San Francisco Municipal Code is hereby amended by  
12 amending Section 6.17-2, to read as follows:

13 **SEC. 6.17-2. PENALTIES FOR UNDERREPORTING OF TAX.** If the Tax Collector  
14 determines that all or part of any tax required to be reported on any return was underreported  
15 and that such underreporting was attributable to negligence or intentional disregard of rules  
16 and regulations, the Tax Collector may impose a penalty upon the taxpayer in the amount of  
17 ((20)) 5 percent of the amount of the underreported tax, in addition to the tax or amount of  
18 tax, if the negligence or intentional disregard of rules and regulations is for not more than one  
19 month, with an additional 5 percent for each month or fraction of a month during which such  
20 negligence or intentional disregard of rules and regulations continues, up to 20 percent in the  
21 aggregate. When it is determined by the Tax Collector that all or part of any tax required to  
22 be reported on any return was underreported and such underreporting was attributable to  
23 fraud the Tax Collector may impose a penalty upon the taxpayer in the amount of 50 percent  
24 of the amount of the underreported tax. The taxpayer or other person determined to be liable  
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SUPERVISOR KAUFMAN, NEWSOM  
BOARD OF SUPERVISORS

1 for penalties pursuant to this Section are entitled to a notice of such determination to be  
2 issued in accordance with the provisions of Section 6.11-1 et seq. and to the appeal rights set  
3 forth in Sections 6.13-1 et seq. and 6.14-1 et seq.

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5 APPROVED AS TO FORM:

6 LOUISE H. RENNE, City Attorney

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9 By:   
10 GEORGE W. PUTRIS  
Deputy City Attorney

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SUPERVISOR KAUFMAN  
BOARD OF SUPERVISORS



# City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

## Tails

## Ordinance

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**File Number:** 990305

**Date Passed:**

Ordinance amending Municipal Code, Part III, Article 6 (Revenue and Finance/Business Regulations), by amending Section 6.17-2, imposing a monthly penalty of five percent (5%) of the amount of a underreported tax (up to a maximum of twenty percent (20%)<sup>0</sup>, where such underreporting is due to negligence or intentional disregard of the rules and regulations.

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April 12, 1999 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 10 - Ammiano, Becerril, Bierman, Katz, Kaufman, Leno, Newsom, Teng,  
Yaki, Yee

Absent: 1 - Brown

April 19, 1999 Board of Supervisors — FINALLY PASSED

Ayes: 8 - Ammiano, Becerril, Brown, Katz, Kaufman, Leno, Yaki, Yee

Absent: 3 - Bierman, Newsom, Teng

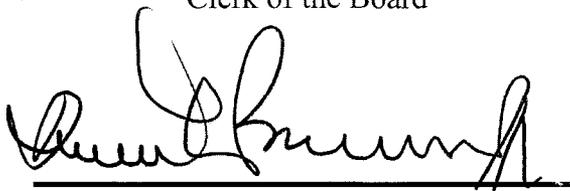
File No. 990305

I hereby certify that the foregoing Ordinance  
was **FINALLY PASSED** on April 19, 1999 by  
the Board of Supervisors of the City and  
County of San Francisco.

  
\_\_\_\_\_  
Gloria L. Young  
Clerk of the Board

APR 30 1999

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Date Approved

  
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Mayor Willie L. Brown Jr.