

[Business and Tax Regulations Code - Extending Sunset Date of Credit from Early Care and Education Commercial Rents Tax for Qualifying Child Care Facilities]

Ordinance amending the Business and Tax Regulations Code to extend for five years, until December 31, 2028, the credit against the Early Care and Education Commercial Rents Tax for qualifying child care facilities.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in *strikethrough italics Times New Roman font*.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~strikethrough Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

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

Section 1. Article 21 of the Business and Tax Regulations Code is hereby amended by revising Section 2106.1, to read as follows:

(a) Any person subject to the Early Care and Education Commercial Rents Tax imposed under this Article 21 that leases or provides Commercial Space in a property in the City for a Qualifying Child Care Facility that operates for more than six months in a tax year shall be allowed a credit against the Early Care and Education Commercial Rents Tax for that tax year. If a person entitled to the credit under this Section 2106.1 is required to file an Early Care and Education Commercial Rents Tax return on a combined basis under Section 2107, the credit may be claimed against the Early Care and Education Commercial Rents Tax liability required to be reflected on the combined return for that tax year. In no event shall the credit allowed under this Section 2106.1 reduce a person or combined group's Early Care and Education Commercial Rents Tax liability for any tax year to less than zero, and no credit shall be allowed as a carryforward to a subsequent tax year.

1 * * * *

2 (h) The credit provided by this Section 2106.1 shall be allowable in tax years ending
3 after December 31, 2018, and shall expire by operation of law on December 31, 2023~~28~~. No
4 person may use or claim the credit provided for under this Section 2106.1 after the expiration
5 date of this Section.

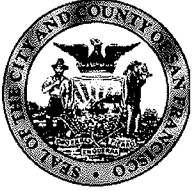
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7 Section 2. Effective Date. This ordinance shall become effective 30 days after
8 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
9 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
10 of Supervisors overrides the Mayor's veto of the ordinance.

11
12 Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
13 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
14 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
15 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
16 additions, and Board amendment deletions in accordance with the "Note" that appears under
17 the official title of the ordinance.

18
19 APPROVED AS TO FORM:
20 DAVID CHIU, City Attorney

21 By: /s/ Scott M. Reiber
22 SCOTT M. REIBER
23 Chief Tax Attorney

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City and County of San Francisco

Tails
Ordinance

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

File Number: 230307

Date Passed: May 23, 2023

Ordinance amending the Business and Tax Regulations Code to extend for five years, until December 31, 2028, the credit against the Early Care and Education Commercial Rents Tax for qualifying child care facilities.

May 10, 2023 Budget and Finance Committee - RECOMMENDED

May 16, 2023 Board of Supervisors - PASSED ON FIRST READING

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai and Walton

Excused: 1 - Stefani

May 23, 2023 Board of Supervisors - FINALLY PASSED

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Ronen, Safai, Stefani and Walton

Excused: 1 - Melgar

File No. 230307

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 5/23/2023 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

6/2/23

Date Approved