

LEGISLATIVE DIGEST

[Business and Tax Regulations Code - Former Transfer Tax Review Board]

Ordinance amending the Business and Tax Regulations Code to remove provisions that refer to the former Transfer Tax Review Board, and that expired by operation of law on January 1, 2013.

Existing Law

Section 1115.2 of Article 12-C of the Business and Tax Regulations Code, known as the Real Property Transfer Tax Ordinance, used to provide for a Transfer Tax Review Board (“Review Board”). Ordinance 20-09 enacted two versions of Sections 1115, 1115.1, 1115.2, and 1115.3 of the Real Property Transfer Tax Ordinance. One version of the texts was operative until January 1, 2013, at which time that version expired by operation of law, effectively abolishing the Review Board for the future. The other version, reflecting the abolition of the Review Board, became operative on January 1, 2013.

Amendments to Current Law

This ordinance removes from the Business and Tax Regulations Code the versions of Sections 1115, 1115.1, 1115.2, and 1115.3 that became inoperative on January 1, 2013, as well as the version of Section 1115.2 that became operative on that date, because that version governs appeals pending at the Review Board as of January 1, 2013, of which there were none. This ordinance also repeals that part of Section 1111 that requires the Review Board to review and approve the form of the Transfer Tax Affidavit, since the Review Board no longer exists.

Background Information

This ordinance is cleanup legislation that simply removes obsolete code provisions.