



REVENUES AND RESPONSIBILITIES

An Inventory of Local Tax Powers

Second Edition
December 2010

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*In this world nothing can be said to be certain, except death and taxes.
-Benjamin Franklin*

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GENERAL INTRODUCTION

What taxes can local governments levy? Which taxes fit which purposes? How do city taxes differ from county taxes? What are the constitutional and statutory citations for local taxes?

Having been asked these questions innumerable times – in innumerable ways – the staff of the Senate Local Government Committee prepared this annotated inventory of local tax powers in 2007. By 2010, it was time to bring the materials up-to-date with this Second Edition.

Table I lists the tax authorities for counties.

Table II lists the tax authorities for cities.

Table III lists the tax authorities for special districts.

Each table lists the tax authorities by the purpose for which a tax may be used. A written introduction precedes each table, providing background on county, city, and special district taxes. While school districts' tax powers are similar to those of some other local governments, they do not fall within the jurisdiction of the Senate Local Government Committee and are not included in this inventory.

A full understanding of the legal authority for local taxation can be complex. California courts have found that, except as provided in the municipal affairs doctrine (see page 7), there is no constitutional grant of authority to tax. The Constitution prohibits the Legislature from imposing taxes for local purposes. Instead, the Legislature may authorize local governments to impose them (California Constitution, Article XIII, §24). The court's opinion in *County of Los Angeles v. Sasaki* [23 Cal.App.4th 1442 (1994)] explains:

“As the Supreme Court has declared, 'the provisions on taxation in the state Constitution are a limitation on the power of the Legislature rather than a grant to it. [Citations.] Its power in the field of taxation is limited only by constitutional restrictions.' [Citation.] In other words, the Legislature's authority to impose taxes and regulate the collection thereof exists unless it has been *expressly* eliminated by the Constitution. [Citation.]” (*Armstrong v. County of San Mateo* (1983) 146 Cal.App.3d 597, 624 [194 Cal.Rptr. 294].)

Conversely, the power of a local government to tax is not inherent. “The power is derived from the Constitution upon authorization by the Legislature. (Art. XIII, § 24.)” (*City of Woodlake v. Logan* (1991) 230 Cal.App.3d 1058, 1065 [282 Cal.Rptr. 27].)

These tables are reference tools to help identify statutory authorizations to impose local taxes. At the end of this inventory, a resource list identifies other sources where more detailed and comprehensive information about local taxation can be found.

When using the attached tables, please keep in mind:

Taxes, assessments, and fees: The attached tables only list authorizations for local *taxes*.

While many Californians use the terms taxes, assessments, and fees interchangeably, there are important differences between them. Distinguishing local taxes from assessments, fees, or other local charges determines the approval requirements that a local agency must fulfill before imposing a particular tax, assessment, fee, or charge.

Historically, a *tax* is an involuntary levy on individuals (including companies). Tax revenues can fund public facilities or services regardless of whether the taxpayer actually uses those facilities or services. The rate of the tax does not need to reflect, in any way, the benefit that accrues to the individual taxpayer. Proposition 26 (2010) expanded California’s established definition of a tax.

By contrast, an *assessment* is an involuntary charge on real property, or on businesses, which must be levied in proportion to the benefit that each parcel or business receives from the improvements or services funded by the assessment.

There are different types of *fees* (or “rates” as they may be called in connection with some utility services). Examples of a “user fee” include the cost of admission to a public campground or the charge for obtaining a copy of a birth certificate. “Property-related fees” include charges for residential water or sewer service, which are imposed upon a parcel or person as an incident of property ownership. Local governments impose “exactions and mitigation fees” – for example, park land dedications under the Quimby Act – as a condition of property development to compensate for the impacts of new development.

As provided by Proposition 26 (2010), which applies prospectively to new local ordinances, Article XIIC of the California Constitution now defines any levy, charge, or exaction of any kind imposed by a local government as a *tax*, unless it fits into one of seven categories of exceptions:

1. A charge imposed for a specific benefit conferred or privilege granted directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of conferring the benefit or granting the privilege.
2. A charge imposed for a specific government service or product provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of providing the service or product.
3. A charge imposed for the reasonable regulatory costs to a local government for issuing licenses and permits, performing investigations, inspections, and audits, and enforcing agricultural marketing orders, including administrative enforcement and adjudication costs.
4. A charge imposed for entrance to or use of local government property, or the purchase, rental, or lease of local government property.

5. A fine, penalty, or other monetary charge imposed by the judicial branch of government or a local government, as a result of a violation of law.
6. A charge imposed as a condition of property development.
7. Assessments and property-related fees imposed in accordance with the provisions of Article XIID of the California Constitution.

Voter approval – general taxes vs. special taxes: Proposition 13 (1978), Proposition 62 (1986), and Proposition 218 (1996) require voter approval for new and increased local taxes. All local taxes are either *general taxes*, which need majority-voter approval, or *special taxes*, which must receive 2/3-voter approval. Many older statutes appear to allow local governments to impose special taxes with only majority-voter approval. The attached tables list those special tax authorizations, but note that the statute’s voter approval requirement is no longer constitutional. Including these outdated code sections in this inventory does not mean that they are good law.

Community Facilities Districts: The attached tables identify the numerous purposes for which counties, cities, and special districts may impose taxes through the formation of a Mello-Roos Community Facilities District (CFD). CFDs are not separate local governments; they are financing mechanisms available to all counties, cities, and special districts to fund facilities and a limited set of services. Consequently, each of the attached tables lists these Mello-Roos tax authorizations.

Ad valorem taxes: Proposition 13 (1978), capped ad valorem property tax rates at 1%, excluding ad valorem taxes to pay for voter-approved debt. Although some older statutes appear to allow local governments to levy ad valorem property taxes, Proposition 13 superseded those laws. The attached tables ignore statutes that authorize ad valorem property tax levies.

Incomplete? While the Committee’s staff attempted to compile a complete inventory of local tax powers, given the incremental nature of legislating, we cannot guarantee that the tables are complete. For example, a new definition of tax imposed by Proposition 26 (2010) will likely reclassify as taxes some charges that state law previously authorized local governments to impose as fees. However, because that ballot initiative took effect only a month before this Second Edition of *Revenues and Responsibilities* was released, the Committee’s staff chose not to include in the attached tables any statutes authorizing fees that Proposition 26 will probably reclassify as taxes.

INTRODUCTION TO COUNTY TAX AUTHORITY (TABLE I)

Background: California has 58 counties, including San Francisco which is both a city and a county.

The California Constitution requires all counties to elect a sheriff, district attorney, assessor, and board of supervisors. State law requires each county to have a five-member board of supervisors, although charter counties can increase this number. All counties elect or appoint additional county officials.

General law counties rely on state law for their powers and responsibilities.

Charter counties run under locally adopted charters which provide counties with greater discretion over the election and compensation of board members, the powers and duties of county officials, and the structure of county offices.

There are 14 charter counties and 44 general law counties.

All counties provide three levels of service.

- As agents of the State, social services and health services.
- Countywide services such as jails, probation, district attorney, assessor, elections, clerk, recorder, and animal control.
- Municipal-type services in their unincorporated areas such as fire protection, sheriff patrol, libraries, parks and recreation, roads, and planning. In some counties, special districts provide these services.

County taxes: A county may only impose those taxes that it is specifically authorized to impose under California statutes. Unlike cities, charter counties do not have broader tax powers than their general law counterparts.

Taxes in unincorporated areas vs. countywide taxes: With limited exceptions, counties only levy taxes in unincorporated areas. Table I notes some instances in which a county may impose a countywide tax – including incorporated areas – against which a city-imposed tax is credited.

Bradley-Burns Local Sales and Use Tax: The Bradley-Burns Local Sales and Use Tax Law (Revenue & Taxation Code §7200, et seq.) authorizes counties to impose a tax on the sales price of tangible personal property sold at retail in the county, or purchased outside the county for use in the county. Cities can impose a sales and use tax which is credited against the county's tax. Prior to 2004, the counties' sales and use tax rate was 1.25%; cities could impose sales and use taxes of up to 1%. The remainder of the county rate (0.25%) was earmarked for county transportation purposes. In 2004, the Legislature lowered the county and city rates by 0.25% (to 1% for counties and a maximum of 0.75% for cities) as part of the "triple-flip" mechanism for funding the state's economic recovery bonds. The Bradley-Burns rates will return to their pre-2004 levels once the obligations for those state bonds are satisfied.

Transactions and use taxes: Table I lists a number of authorizations for specific counties to impose transactions and use taxes. **These county-specific authorizations have been rendered obsolete by subsequent legislation that authorized all counties to levy a transactions & use tax for general or specific purposes (Revenue & Taxation Code §7285 and §7285.5).** While some transaction and use taxes currently in effect are authorized by county-specific code sections, counties will almost certainly rely on the general authorizations to impose transactions and use taxes in the future.

REVENUES AND RESPONSIBILITIES – An Inventory of Local Tax Powers

Table I: County Tax Authority

| Purpose/Program | Authority | Agency | Notes |
|---|---------------------------------------|--|--|
| Any | R&T §7200, et seq. | Any county | Bradley-Burns Sales & Use Tax. Not to exceed 1%. Countywide, 0.25% of the tax funds transportation projects. County receives additional 0.75% from sales in unincorporated area. |
| Any | R&T §7280, et seq. | Any county | Transient occupancy tax on occupancy (of no more than 30 days) in a hotel, inn, motel, or other lodging. Also applies to cities. |
| Any | R&T §7284, B&P §16100 | Any county | Business license tax. |
| Any | R&T §7284.2 | Any county | Utility user tax. Levied on utilities such as gas, electricity, telephone, water, and cable television services. |
| Any | R&T §11911 | Any county | Documentary transfer tax. Rate = \$0.55 per \$500 (or fraction thereof) of the consideration or value. (City imposed tax is credited against county tax.) |
| Any (general purpose) | R&T §7285 | Any county | General tax. Transactions & use tax. Rate = multiples of 0.25%. (City imposed tax is credited against county tax.) |
| Any (special purpose) | GC §23027 | Any county | Special taxes may be imposed, subject to the provisions of California Constitution Article XIII A. |
| Any (special purpose) | R&T §7285.5 | Any county | Special tax. Transactions & use tax. Rate = multiples of 0.25%. (City imposed tax is credited against county tax.) |
| Airports | GC §26020 | Any county | Special tax to fund public airports. |
| Ambulance and paramedic services | GC §53313(b) | Any county-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Ambulance/paramedic/ emergency medical services | GC §53971.4, §53978 | County of San Bernardino | Special tax. Also applies to any city or special district within the county that provides fire or police protection services and emergency medical services. |
| Child care facilities | GC §53313.5(d) | Any county-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Child care facilities insurance | GC §53313.5(d) | Any county-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Convention halls, auditoriums, theaters, museums. | GC §25351.5 | Any county | Admissions tax. Special tax to fund maintenance and operation of county-owned public-assembly facilities. |
| Drug abuse prevention, crime prevention, health care services, and public education | R&T §7288.3 | Any county-formed Local Public Finance Authority | Special tax. Transactions & use tax. Rate = multiples of 0.25% |
| Facilities | GC §53313.5 | Any county-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. May be used to fund the purchase, construction, expansion, improvement, or rehabilitation of any real or other tangible property. |
| Fire protection and prevention services | GC §53978 | Any county that provides specified services | Special tax. Also applies to cities and special districts that provide fire protection or prevention services or police protection services. |
| Fire protection and suppression services | GC §53313 (b) | Any county-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Flood and storm water services | GC §53313 (e) | Any county-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Graffiti removal and prevention | R&T §7287 | Any county | Special tax on retail sale of spray paint or other marking substances or instruments. Rate = \$0.10/spray paint container, \$0.05/marketing instrument. Also applies to cities. |
| Hazardous substance cleanup services | GC §53313 (f) | Any county-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Interest payments on voter-approved indebtedness. | CA Constitution Article XIII A, §1(b) | Any county | Ad valorem property taxes exceeding the statewide maximum rate of 1% may be levied to pay interest on indebtedness approved by the voters before July 1, 1978, or indebtedness for the acquisition or improvement of real property approved by 2/3 of voters after July 1, 1978. Also applies to cities and special districts. |
| Justice facilities | R&T §7286.31 | County of San Diego | Special tax. Transactions & use tax. Rate = 0.5% |

Code Abbreviations: B&P = Business & Professions Code ED = Education Code GC = Government Code HSC = Health and Safety Code MVC = Military and Veterans Code
PUC = Public Utilities Code R&T = Revenue and Taxation Code S&H = Streets & Highways Code

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Table I: County Tax Authority

| Purpose/Program | Authority | Agency | Notes |
|---|----------------|---|--|
| Library, contract between counties | ED §19109 | Any county | Special tax to fund a county contract with another county in which a County Free Library has been established. |
| Library services | GC §53313 (c) | Any county-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Library facilities | GC §53313.5(c) | Any county-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Library facilities and services | GC §53717 | Any county | Special tax. Also applies to any city or library district. |
| Library programs and operations | R&T §7286.55 | County of San Joaquin | Special tax. Transactions & use tax. Rate = 0.125% |
| Lighting of parks, parkways, streets, roads, and open space. | GC §53313 (d) | Any county-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Maintenance | S&H §5832.8 | County of San Mateo | Special tax to maintain improvements in maintenance districts located in Portola Valley. |
| Mosquito abatement | GC §25842.5 | Any county | Special tax for mosquito abatement. May be levied in incorporated area, with city consent. |
| Museum & cultural facilities, operations and maintenance | GC §53313 (c) | Any county-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Musical performances. | GC §25558 | Any county | Special tax to fund free public musical performances. |
| Park & recreation acquisition, improvement, maintenance, programs, and operations | R&T §7286.90 | County of San Mateo | Special tax. Transactions & use tax. Rate = 0.125% or 0.25% |
| Park, recreation, parkway, and open space facilities | GC §53313.5(a) | Any county-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Parks, parkways, and open space, maintenance services. | GC §53313 (d) | Any county-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Pension, retirement, and benefits | GC §31200 | Any county | Special tax for payment of pensions or annuities for county foresters, firewardens, and firemen. (Tax base and approval requirements not specified.) |
| Pension, retirement, and benefits | GC §32211 | Any county | Special tax for payment of pensions or annuities for peace officers and fire service employees. (Tax base and approval requirements not specified.) |
| Pension, retirement, and benefits | GC §33015 | Any county | Special tax for payment of pensions or annuities for county foresters, firewardens, and firemen. (Tax base and approval requirements not specified.) |
| Pleasure riding | GC §53942 | Any county | Special tax on horses, mules, and other trail riding animals. Not to exceed \$10 per animal. |
| Police protection and criminal justice services | GC §53313 (a) | Any county-formed Community Facilities District | Also applies to any regional park district. (Approval requirements not specified.) |
| Police services | GC §53978 | Any county that provides specified services | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Public library construction, acquisition, programs, and operations. | R&T §7286.59 | Any county | Special tax. Also applies to cities and special districts that provide fire protection or prevention services or police protection services. |
| Public transit | R&T §11152 | San Francisco (City & County) | Special tax. Transactions & use tax. Rate = 0.125% or 0.25% |
| Rapid transit planning | R&T §36020 | Any county with population greater than 1,000,000 | Vehicle license fee surcharge of no greater than 15% of the state VLF. Requires 2/3 voter approval. Discontinued if transit fares are increased. |
| Rapid transit planning | R&T §36060 | Any county with population greater than 1,000,000 | Vehicle license fee of \$1. Adopted by ordinance for period of one year only. (May be an unconstitutional special tax levied without 2/3 voter approval.) |
| Recreation program services | GC §53313 (c) | Any county-formed Community Facilities District | Commercial parking lot license tax not to exceed 5% of gross receipts. Adopted by ordinance for period of one year only. (May be an unconstitutional special tax levied without 2/3 voter approval.) |
| Recreation program services | GC §53313 (c) | Any county-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |

Code Abbreviations: B&P = Business & Professions Code ED = Education Code GC = Government Code HSC = Health and Safety Code MVC = Military and Veterans Code
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| Purpose/Program | Authority | Agency | Notes |
|--|-----------------|---|---|
| Roads (county expressways) | R&T §11103 | Any county which meets specified conditions | Vehicle license fee of up to \$10 per vehicle. Adopted by ordinance in counties which have general plan provisions for county expressways and have funded highway construction from a county bond of at least \$70,000,000. (May be an <i>unconstitutional special tax levied without 2/3 voter approval.</i>) |
| Road maintenance | S&H §1550.2 | Any county | Special tax for road work in counties' special road maintenance districts. |
| Sanitation and health | HSC §101350 | Any county | Special tax. |
| School facilities, elementary and secondary schoolsites | GC §53313.5(b) | Any county-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| School facilities, maintenance services for elementary and secondary schoolsites | GC §53313 (c) | Any county-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters (not landowners). |
| Seismic safety work on buildings and real property | GC §53313.5(i) | Any county-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Snow plowing and removal | GC §53313 (e) | Any county-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Soil deterioration repair and abatement | GC §53313.5 (j) | Any county-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Street & road maintenance | GC §53313 (d) | Any county-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Trade, commerce, and immigration. | GC §25904 | Any county | Special tax to fund promotion of immigration, trade and industrial/agricultural enterprises at fairs or expositions. |
| Trade, commerce, and immigration. | GC §26100 | Any county | Special tax for advertising, exploiting, and making known the resources of a county and making plans and arrangements for a fair or exposition. |
| Transit capital projects | PUC §99500 | Any county | Motor vehicle fuel tax. \$0.01/gal. or \$0.01/cu.ft. of CNG. Majority voter approval. (May be an <i>unconstitutional special tax levied without 2/3 voter approval.</i>) |
| Transportation | PUC §131102 | Any of the nine Bay Area counties | Special tax. Transactions & use tax. Rate = 0.5% or 1%. Also applies to the Metropolitan Transportation Commission. |
| Transportation | R&T §9501 | Any county | Motor vehicle fuel tax. \$0.01/gal. or \$0.01/cu.ft. of CNG. In addition to voter approval, requires approval of a majority of city councils of cities having a majority of the population in the incorporated areas of the county. |
| Utility undergrounding | GC §53313.5(e) | Any county-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Vector control | GC §25842.5 | Any county | Special tax for vector control. May be levied in incorporated area, with city consent. |
| Veterans homes | MVC §1121 | Any county | Special tax. |
| Water | GC §25694 | Any county | Special tax to fund acquisition, development, distribution, and sale of water. (Tax base not specified. May be an <i>unconstitutional special tax levied without 2/3 voter approval.</i>) |
| Zoos | R&T §7286.43 | County of Fresno | Special tax. Transactions & use tax. Rate = 0.1%. |

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PUC = Public Utilities Code R&T = Revenue and Taxation Code S&H = Streets & Highways Code

INTRODUCTION TO CITY TAX AUTHORITY (TABLE II)

Background: California has 481 cities, including the City and County of San Francisco.

General law cities rely on state law for their powers and responsibilities. Many general law cities use the council-manager form of government.

Charter cities run under locally adopted charters which shape their broad powers over municipal affairs, granted by the California Constitution (Article XI, § 5). Several charter cities use the strong mayor form of government.

There are 120 charter cities and 361 general law cities.

Whether living in general law or charter cities, city residents receive a variety of municipal services including police and fire protection, libraries, parks and recreation, road maintenance, public transit, street trees, lighting and landscaping, water, sewers, planning and development. “Full service” cities provide these services themselves. “Partial service” and “contract” cities rely on special districts and counties to provide many of these services to their residents.

Taxation in Charter Cities vs. General Law Cities: Unlike counties, the tax powers available to charter cities are distinct from those of general law cities (or any other form of local government).

Under the constitutional “municipal affairs” doctrine, charter cities can levy taxes which have not been preempted by the state or federal governments (Article XI, §5). In contrast to a charter city, a general law city may only impose those taxes that it is authorized to impose under California statutes. However, Government Code §37100.5 grants statutory authority for general law cities to levy any tax which may be levied by any charter city unless a different general law limits or prohibits such a tax. This blanket authority means that a general law city’s authority to tax is similar, but not identical, to a charter city’s authority.

Keep in mind the complex interplay between the constitutional and statutory provisions. For example, the table lists examples of taxes that charter cities commonly impose using under their “municipal affairs” powers, but the table does not list every tax that cities may impose under this constitutional provision (Article XI, §5). Similarly, Government Code §37100.5 allows general law cities to impose most – but not all – of the taxes that charter cities may impose under the “municipal affairs” doctrine. In some cases, general law cities may be subject to constitutional and statutory provisions that prevent them from levying some of the taxes that charter cities may impose. For example, California Supreme Court decisions which have allowed charter cities to impose real property transfer taxes do not grant the same authority to general law cities, which are still subject to Constitutional and statutory restrictions on such a tax. In light of these complexities, Table II provides an illustrative – but not comprehensive – inventory of the taxes that cities may impose under the “municipal affairs” doctrine and Government Code §37100.5.

Bradley-Burns Local Sales and Use Tax: The Bradley-Burns Local Sales and Use Tax Law (Revenue & Taxation Code §7200, et seq.) authorizes counties to impose a tax on the sales price of tangible personal property sold at retail in the county, or purchased outside the county for use in the county. Cities are authorized to impose a sales and use tax which is credited against the county rate. Prior to 2004, the county's sales and use tax rate was fixed at 1.25%. Cities were authorized to impose sales and use taxes of up to 1%. The remainder of the county rate (0.25%) was earmarked for county transportation purposes. In 2004, the county and city rates were lowered by 0.25% (to 1% for counties and a maximum of 0.75% for cities) as part of the "triple-flip" financing mechanism for the state's economic recovery bonds. The Bradley-Burns rates will return to their pre-2004 levels once California's obligations for those bonds have been satisfied.

Transactions & Use Taxes: Table II lists a number of authorizations for specific cities to impose transactions and use taxes. These city-specific authorizations have been rendered obsolete by subsequent legislation that authorized all cities to levy a transactions & use tax for general or specific purposes (Revenue & Taxation Code §7285.9 and §7285.91). While some transactions and use taxes currently in effect are authorized by city-specific code sections, cities will almost certainly rely on the general authorizations to impose transactions and use taxes in the future.

A city imposed transactions and use tax is credited against any transaction and use tax imposed by the county in which the city is located. For example, if a county and a city each levy a transactions and use tax of 0.25% the payment of the city's tax is fully credited against the county's tax. In this example, a retail consumer pays just the city's tax when buying something inside city limits.

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Table II: City Tax Authority

| Purpose/Program | Authority | Agency | Notes |
|---|---------------------------------|--|--|
| Any | CA Constitution, Article XI, §5 | Any charter city | Taxes for municipal purposes are a "municipal affair" if the tax base has not been preempted by the state or federal government. Examples of municipal taxes commonly authorized under this constitutional provision are listed below. |
| Any | CA Constitution, Article XI, §5 | Any charter city | Admissions tax. Levied on attendance at a show, performance, display, or exhibition. (Also authorized for general law cities, pursuant to GC § 37100.5) |
| Any | CA Constitution, Article XI, §5 | Any charter city | Real property transfer tax. |
| Any | CA Constitution, Article XI, §5 | Any charter city | Utility users tax. Levied on utilities such as gas, electricity, telephone, water, and cable television. (Also authorized for general law cities, pursuant to GC § 37100.5) |
| Any | GC §37100.5 | Any general law city | A general law city can levy any tax that a charter city can levy, including those imposed under the "municipal affairs" doctrine, with some constitutional and statutory exceptions. |
| Any | GC §37101, B&P §16000 | Any general law city | Business license tax. (Charter cities may impose business license taxes as a municipal affair under California Constitution, Article XI, § 5.) |
| Any | R&T §7280 et seq. | Any city | Transient occupancy tax on occupancy (of no more than 30 days) in a hotel, inn, motel, or other lodging. (Also applies to counties.) |
| Any | R&T §7202, 7203.1 | Any city | Bradley-Burns Sales & Use Tax. Not to exceed 0.75%. City tax is credited against county tax. |
| Any | R&T §7286.75 | City of West Sacramento | Transactions & use tax. Rate = 0.25% or 0.5%. Requires majority voter approval for general tax or 2/3-voter approval for special tax. Requires approval by 2/3 of city council to place either a general or special tax ordinance on the ballot. |
| Any | R&T §7290 | City of Davis | Transactions & use tax. Rate = 0.25% or 0.5%. Requires majority voter approval for general tax or 2/3-voter approval for special tax. Requires approval by 2/3 of city council to place either a general or special tax ordinance on the ballot. |
| Any | R&T §11911 | Any city | Documentary transfer tax. Cities may impose tax at 1/2 the county rate of \$0.55 per \$500 (or fraction thereof) of the consideration or value. City tax is credited against county tax. |
| Any (general purpose) | R&T §7285.9 | Any city | General tax. Transactions & use tax. Rate = multiples of 0.25% |
| Any (general purpose) | R&T §7286.52 | City of Woodland | General tax. Transactions & use tax. Rate = 0.25% or 0.5% |
| Any (general purpose) | R&T §7286.80 | City of Sebastopol | General tax. Transactions & use tax. Rate = 0.125% |
| Any (special purpose) | R&T §7285.91 | Any city | Special tax. Transactions & use tax. Rate = multiples of 0.25% |
| Ambulance/paramedic services | GC §53313(b) | Any city-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Ambulance/paramedic/ emergency medical services | GC §53971.4, §53978 | Any city in San Bernardino County that provides specified services | Special tax. (Also applies to San Bernardino County and special districts within the county that provide fire or police protection services and emergency medical services.) |
| Child care facilities | GC §53313.5(d) | Any city-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Child care facilities insurance | GC §53313.5(d) | Any city-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Facilities | GC §53313.5 | Any city-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. May be used to fund the purchase, construction, expansion, improvement, or rehabilitation of any real or other tangible property. |

Code Abbreviations: B&P = Business & Professions Code GC = Government Code PUC = Public Utilities Code R&T = Revenue & Taxation Code

REVENUES AND RESPONSIBILITIES – An Inventory of Local Tax Powers

Table II: City Tax Authority

| Purpose/Program | Authority | Agency | Notes |
|--|--|---|---|
| Fire protection and prevention services | GC §53978 | Any city that provides specified services | Special tax. (Also applies to counties and special districts that provide fire protection or prevention services or police protection services.) |
| Fire protection and suppression services | GC §53313 (b) | Any city-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Flood and storm water services | GC §53313 (e) | Any city-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. Special tax on retail sale of spray paint or other marking substances or instruments. Rate = \$0.10/spray paint container, \$0.05/marketing instrument. (Also applies to counties.) |
| Graffiti removal and prevention | R&T §7287 | Any city | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. Special tax. Transactions & use tax. Rate = 0.5% |
| Hazardous substance cleanup services | GC §53313 (f) | Any city-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. Special tax. Transactions & use tax. Rate = 0.5% |
| Hospital (Heffernan Memorial) | R&T §7286.20 | City of Calxico | Special tax to fund maintenance and land purchases for municipal hospitals. Special tax. Transactions & use tax. Rate = 0.5% |
| Hospitals | GC §37617 | Any city | Ad valorem property taxes exceeding the statewide maximum rate of 1% may be levied to pay interest on indebtedness approved by the voters before July 1, 1978 or indebtedness for the acquisition or improvement of real property approved by 2/3 of voters after July 1, 1978. (Also applies to counties and special districts.) |
| Interest payments on voter-approved indebtedness. | CA Constitution, Article XIII A, §1(b) | Any city | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. Special tax. (Also applies to any county, city and county, or library district.) |
| Library facilities | GC §53313.5(c) | Any city-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. Special tax. (Also applies to any county, city and county, or library district.) |
| Library facilities and services | GC §53717 | Any city | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. Special tax. (Also applies to any county, city and county, or library district.) |
| Library services | GC §53313 (c) | Any city-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. Special tax. (Also applies to any county, city and county, or library district.) |
| Lighting of parks, parkways, streets, roads, and open space. | GC §53313 (d) | Any city-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. Special tax. (Also applies to any county, city and county, or library district.) |
| Museum & cultural facilities, operations and maintenance | GC §53313 (c) | Any city-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. Special tax. (Also applies to any county, city and county, or library district.) |
| Park, recreation, parkway, and open space facilities | GC §53313.5 (a) | Any city-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. Special tax. (Also applies to any county, city and county, or library district.) |
| Parks, parkways, and open space, maintenance services. | GC §53313 (d) | Any city-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. Special tax for payment of pensions or annuities for peace officers and fire service employees. |
| Pension, retirement, and benefits | GC §33017 | Any city included in a county retirement plan | Special tax. Transactions & use tax. Not to exceed 0.3% |
| Police and fire facilities, furnishings, and equipment | R&T §7286.48 | City of Clovis | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. Special tax. Transactions & use tax. Rate = 0.125% or 0.25% |
| Police protection and criminal justice services | GC §53313 (a) | Any city-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. Special tax. Transactions & use tax. Rate = 0.125% or 0.25% |
| Police services | R&T §7286.70 | City of Placerville | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. Special tax. Transactions & use tax. Rate = 0.125% or 0.25% |

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REVENUES AND RESPONSIBILITIES – An Inventory of Local Tax Powers

Table II: City Tax Authority

| Purpose/Program | Authority | Agency | Notes |
|--|-----------------|--|--|
| Police services | GC §53978 | Any city that provides specified services | Special tax. (Also applies to counties and special districts that provide fire protection or prevention services or police protection services.) |
| Public safety services | R&T §7286.45 | City of Clearlake | Special tax. Transactions & use tax. Rate = 0.25% or 0.5% |
| Public safety, fire, and law enforcement | R&T §7286.44 | City of Visalia | Special tax. Transactions & use tax. Rate = 0.25% |
| Recreation program services | GC §53313 (c) | Any city-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Road maintenance, repair, and construction | R&T §7286.24 | Cities of Clearlake, Fort Bragg, Point Arena, Ukiah, and Willits | Special tax. Transactions & use tax. Rate = multiples of 0.25%. Not to exceed 1%. |
| School facilities, elementary and secondary schools/sites | GC §53313.5(b) | Any city-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| School facilities, maintenance services for elementary and secondary schools/sites | GC §53313 (c) | Any city-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters (not landowners). |
| Seismic safety work on buildings and real property | GC §53313.5 (i) | Any city-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. Sidewalk installation charge of no more than \$3 imposed annually on all businesses and residences within a city. Majority voter approval. (May be an <i>unconstitutional special tax levied without 2/3 voter approval.</i>) |
| Sidewalks | GC §40470 | Any general law city | |
| Snow plowing and removal | GC §53313 (e) | Any city-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Soil deterioration repair and abatement | GC §53313.5 (j) | Any city-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Street & road maintenance | GC §53313 (d) | Any city-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Streets & roads maintenance, repair, & Construction | R&T §7286.60 | Town of Truckee | Special tax. Transactions & use tax. Rate - 0.5% |
| Transit capital projects | PUC §99500 | Any city with pop. > 500,000 in transit districts | Motor vehicle fuel tax. Rate = \$0.01/gal. or \$0.01/cu.ft. of CNG. Majority voter approval. (May be an <i>unconstitutional special tax levied without 2/3 voter approval.</i>) |
| Utility undergrounding | GC §53313.5 (e) | Any city-formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |

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INTRODUCTION TO SPECIAL DISTRICT TAX AUTHORITY (TABLE III)

Background: Special districts are limited purpose local governments – separate from cities and counties. Within their boundaries, special districts provide focused public services such as fire protection, sewers, water supply, electricity, parks, recreation, sanitation, cemeteries, and libraries. There are about 3,300 special districts.

Nearly 85% of California’s special districts are *single-function districts*, which provide only one service such as fire protection, mosquito abatement, or waste disposal. The remaining districts are *multi-function districts* providing two or more services. For example, some municipal utility districts provide fire protection and park services in addition to utility services. Fire protection districts often provide ambulance services too. County Service Areas (CSAs) can provide any service that a county can provide. A district’s name does not always indicate which services it provides or is authorized to provide.

There are two forms of special district governance. About 2/3 of special districts are *independent districts* with directly elected boards or appointed boards whose directors serve for fixed terms. Cemetery, fire protection, sanitation, water, transit and community services districts are mostly independent districts. The other 1/3 of special districts are *dependent districts*, governed by either a city council or the county board of supervisors.

Special districts generate revenue from several sources including property taxes, special assessments, and fees. *Enterprise districts* run much like business enterprises and provide specific benefits to their customers. These districts get their revenues primarily from fees or rates that customers pay for services. About 27% of special districts are enterprise districts and include airport, harbor, hospital, transit, waste disposal, and utility districts. *Non-enterprise districts* deliver services that provide a general benefit to entire communities. These services, such as fire protection, flood control, cemeteries, and road maintenance, do not lend themselves to fees. Non-enterprise districts primarily rely on property taxes for their revenues.

Special districts, special taxes: Proposition 13 (1978), Proposition 62 (1986), and Proposition 218 (1996) required voter approval for local taxes. All local taxes are either *general taxes*, which need majority-voter approval, or *special taxes*, which must receive 2/3-voter approval. Because Article XIII C, §2(a) of the California Constitution prohibits special districts from levying general taxes, special districts only have the power to levy special taxes.

Powers limited by statute: Special districts operate either under a *principal act* or a *special act*. A *principal act* is a generic statute which applies to all special districts of that type. For example, the Fire Protection District Law of 1987 governs all 372 fire districts. There are about 50 principal act statutes which voters and local officials can use anywhere in the state to create special districts.

Occasionally, local circumstances fail to fit the general conditions anticipated by a principal act. In those cases, the Legislature may create a *special act* special district tailored to the unique needs of a specific area. Districts which are regional in nature, have specific governing board requirements, provide unique services, or need special financing, necessitate special laws for formation. Districts formed under special acts include the Humboldt Bay Harbor Recreation and

Conservation District, the Fairfield-Suisun Sewer District, and the Alameda County Flood Control and Water District. There are about 125 special act special districts.

Special districts may not perform functions beyond those allowed by their authorizing statutes. A special district may levy a special tax only to fund functions that it is otherwise authorized to provide. For example, while a cemetery district can use the Mello-Roos Act, and while Mello-Roos Act special taxes can finance police services, a cemetery district may not use the Mello-Roos Act to fund police protection service. Special districts may only form Community Facilities Districts to fund facilities or services that they are otherwise authorized to provide.

Transactions & Use Taxes: Unlike counties and cities, the Legislature has not authorized all special districts to impose transaction and use taxes. Table III lists the transactions and use tax authorizations that the Legislature has enacted for specific special districts.

REVENUES AND RESPONSIBILITIES – An Inventory of Local Tax Powers
Table III: Special District Tax Authority

| Purpose/Program | Authority | Agency | Notes |
|---|-------------------------------------|---|--|
| Airports | PUC §22909 | Any airport district | Special tax. |
| Ambulance/paramedic services | GC §53313 (b) | Any special-district formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Ambulance/paramedic/emergency medical services | GC §53971.4, §53978 | Any special district in San Bernardino Co. that provides specified services | Special tax. (Also applies to San Bernardino County or any city within the county that provides fire or police protection services and emergency medical services.) |
| Cemeteries | HSC §9081 | Any public cemetery district | Special tax. |
| Child care facilities | GC §53313.5 (d) | Any special-district formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Child care facilities insurance | GC §53313.5 (d) | Any special-district formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Community services or facilities | GC §61121 | Any community services district | Special tax. |
| County services or facilities | GC §25215.2 | Any county service area | Special tax. |
| Facilities | GC §53313.5 | Any special-district formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. May be used to fund the purchase, construction, expansion, improvement, or rehabilitation of any real or other tangible property. |
| Fire protection and suppression services | GC §53313 (b) | Any special-district formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Fire protection or prevention services | GC §53978 | Any special district which provides fire protection or prevention services | Special tax. (Also applies to counties and cities that provide fire protection or prevention services or police protection services.) |
| Fire protection services | HSC §13911 | Any fire protection district | Special tax. |
| Flood and storm water services | GC §53313 (e) | Any special-district formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Harbor improvement or development | HNC §6092.5 | Any harbor district. | Special tax. |
| Hazardous substance cleanup services | GC §53313 (f) | Any special-district formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Health care | GC §53730.01 | Any local health care district. | Special tax. |
| Interest payments on voter-approved indebtedness. | CA Constitution, Art. XIII A, §1(b) | Any special district | Ad valorem property taxes exceeding the statewide maximum rate of 1% may be levied to pay interest on indebtedness approved by the voters before July 1, 1978 or indebtedness for the acquisition or improvement of real property approved by 2/3 of voters after July 1, 1978. (Also applies to counties and cities.) |
| Justice facilities | GC §26292.1 | San Joaquin County Regional Justice Facility Financing Agency | Special tax. Transactions & use tax. Rate = 0.5%. |
| Justice facilities | GC §26298.2 | Orange County Regional Justice Facilities Commission | Special tax. Transactions & use tax. Rate = 0.5%. |

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PUC = Public Utilities Code WC = Water Code

REVENUES AND RESPONSIBILITIES – An Inventory of Local Tax Powers
Table III: Special District Tax Authority

| Purpose/Program | Authority | Agency | Notes |
|--|-----------------|--|---|
| Justice facilities | GC §26299.041 | Any County Regional Justice Facility Financing Agency | Special tax. Transactions & use tax. Rate = 0.5%. |
| Library facilities | GC §53313.5 (c) | Any special-district formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Library facilities and services | GC §26172.2 (c) | Shasta County Regional Library Facilities and Services Commission | Special taxes to fund library facilities and services. |
| Library facilities and services | GC §53717 | Library district | Special tax. (Also applies to any county or city.) |
| Library services | GC §53313 (c) | Any special-district formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Lighting of parks, parkways, streets, roads, and open space | GC §53313 (d) | Any special-district formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Memorial halls, buildings, or meeting places | MVC §1192.5 | Any memorial district. | Special tax. |
| Mosquito abatement and vector control | HSC §2081 | Any mosquito abatement and vector control district. | Special tax. |
| Museum & cultural facilities, operations and maintenance | GC §53313 (c) | Any special-district formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Open space acquisition preservation or maintenance | PRC §35172 | Santa Clara Open Space Authority | Special tax. |
| Park, recreation, parkway, and open space facilities | GC §53313.5 (a) | Any special-district formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Park, recreation, and open space facilities and recreation services. | PRC §5789.1 | Any recreation and park district | Special tax. |
| Parks, parkways, and open space, maintenance services. | GC §53313 (d) | Any special-district formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Pest abatement | HSC §2871.8 | Any pest abatement district | Special tax. |
| Pleasure riding | GC §53942 | Any regional park district | Special tax on horses, mules, and other trail riding animals. Not to exceed \$10 per animal. Also applies to any county. (Approval requirements not specified.) |
| Police protection services | GC §53978 | Any special district which provides fire protection or prevention services | Special tax. (Also applies to counties and cities that provide fire protection or prevention services or police protection services.) |
| Police protection services | HSC §20110 | Any police protection district | Special tax. |
| Police protection and criminal justice services | GC §53313 (a) | Any special-district formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Port operation and development | HNC §6364 | Any port district. | Special tax. |
| Public transit | PUC §130231 | Los Angeles County Transportation Commission | Special tax. Transactions & use tax. |

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REVENUES AND RESPONSIBILITIES – An Inventory of Local Tax Powers
Table III: Special District Tax Authority

| Purpose/Program | Authority | Agency | Notes |
|--|-----------------|---|--|
| Public transit | PUC §130350 | Los Angeles County Transportation Commission | Special tax. Transactions & use tax. |
| Public transit capital projects | PUC §130350.5 | Los Angeles County Metropolitan Transportation Authority | Special tax. Transactions & use tax. Rate = 0.5% |
| Recreation program services | GC §53313 (c) | Any special-district formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Resource conservation | PRC §9513 | Any resource conservation district | Special tax. |
| School facilities, elementary and secondary schoolsites | GC §53313.5 (b) | Any special-district formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| School facilities, maintenance services for elementary and secondary schoolsites | GC §53313 (c) | Any special-district formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters (not landowners). |
| Seismic safety work on buildings and real property | GC §53313.5 (i) | Any special-district formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Snow plowing and removal | GC §53313 (e) | Any special-district formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Soil deterioration repair and abatement | GC §53313.5 (j) | Any special-district formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Street & road maintenance | GC §53313 (d) | Any special-district formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Transit | PUC §25892.1 | Alameda-Contra Costa Transit District | Special tax. |
| Transit capital projects | PUC §99500 | Any county transportation commission, transit development board, or transit district. | Motor vehicle fuel tax. Rate = \$0.01/gal. or \$0.01/cu.ft. of CNG. Majority voter approval. (May be an <i>unconstitutional special tax levied without 2/3 voter approval.</i>) |
| Transportation | PUC §29140 | Bay Area Rapid Transit District | Special tax. Transactions & use tax. Rate = 0.5% |
| Transportation | PUC §40330 | Orange County Transit District | Special tax. Transactions & use tax. Rate = multiples of 0.25%, not to exceed 1%. Majority voter approval. (May be an <i>unconstitutional special tax levied without 2/3 voter approval.</i>) |
| Transportation | PUC §60100 | Yolo County Transportation District | Special tax. Transactions & use tax. Rate = multiples of 0.25%, not to exceed 1%. |
| Transportation | GC §67970 | North Lake Tahoe Transportation Authority | Special tax. Transactions & use tax. Rate = 0.25% or 0.5% |
| Transportation | PUC §70223 | Marin County Transit District | Special tax. Transactions & use tax. Rate = not to exceed 0.5%. |
| Transportation | PUC §98290 | Santa Cruz Metropolitan Transit District | Special tax. Transactions & use tax. |
| Transportation | PUC §100250 | Santa Clara Valley Transportation Authority | Special tax. Transactions & use tax. |

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REVENUES AND RESPONSIBILITIES – An Inventory of Local Tax Powers
Table III: Special District Tax Authority

| Purpose/Program | Authority | Agency | Notes |
|------------------------|-----------------|---|---|
| Transportation | PUC §102350 | Sacramento Regional Transit District | Special tax. Transactions & use tax. Rate = 0.25% or 0.5%. |
| Transportation | PUC §103350 | San Mateo County Transit District | Special tax. Transactions & use tax. |
| Transportation | PUC §105115 | Sonoma Marin Area Rail Transit District | Special tax. Transactions & use tax. |
| Transportation | PUC §130401 | Orange County Transportation Commission | Special tax. Transactions & use tax. Rate = multiples of 0.25%, not to exceed 1%. |
| Transportation | PUC §132301 | San Diego County Regional Transportation Commission | Special tax. Transactions & use tax. Rate = multiples of 0.25%, not to exceed 1%. |
| Transportation | PUC §142250 | Fresno County Transportation Authority | Special Tax. Transactions & use tax. Rate = 0.5% |
| Transportation | PUC §180201 | Local Transportation Authorities | Special tax. Transactions & use tax. Rate = multiples of 0.25%, not to exceed 1%. |
| Transportation | PUC §190300 | San Bernardino County Transportation Commission | Special tax. Transactions & use tax. Rate = multiples of 0.25%, not to exceed 1%. |
| Transportation | PUC §240301 | Riverside County Transportation Commission | Special tax. Transactions & use tax. Rate = multiples of 0.25%, not to exceed 1%. |
| Utilities | PUC §12891.5 | Any municipal utility district | Special tax. |
| Utilities | PUC §16641.5 | Any public utility district | Special tax. |
| Utility undergrounding | GC §53313.5 (e) | Any special-district formed Community Facilities District | Mello-Roos Act special tax. Requires 2/3 approval of registered voters or landowners. |
| Water | WC §22078.5 | Any irrigation district | Special tax. |
| Water | WC §31653 | Any county water district | Special tax. |
| Water | WC § 72090.5 | Any municipal water district | Special tax. |

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PUC = Public Utilities Code WC = Water Code

APPENDIX – California Local Tax Resources

PUBLICATIONS:

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Legislative Analyst's Office. California's Tax System: A Primer. Sacramento. April, 2007.

State Board of Equalization. Tax Information for City and County Officials: Local Sales and Use Tax, Transactions (Sales) and Use Tax. Sacramento. September, 2005.

State Board of Equalization. California Property Tax: An Overview. Sacramento. September, 2005.

ORGANIZATIONS AND WEBSITES:

California Local Government Finance Almanac: www.californiacityfinance.com

California Special Districts Association – (916) 442-7887 www.csda.net
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California State Association of Counties – (916) 327-7500 www.csac.counties.org
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State Board of Equalization – (800) 400-7115 www.boe.ca.gov
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