



**Board of Supervisors
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One
PETE VANDER POEL
District Two
AMY SHUKLIAN
District Three
J. STEVEN WORTHLEY
District Four
MIKE ENNIS
District Five

AGENDA DATE: May 8, 2018 - REVISED

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
CONTACT PERSON: Julieta Martinez PHONE: 636-5000				

SUBJECT: Approve letter of support for AB 2727

REQUEST(S):

That the Board of Supervisors:
Approve a letter in support of AB 2727, Flora - Personal income taxes: credit: firefighters.

SUMMARY:

AB 2727 was introduced on February 15, 2018 and amended on April 10, 2018. This bill seeks to authorize a credit against tax for each taxable year for qualified firefighter expenses.

AB 2727 is supported by the Rural County Representatives of California who have asked County members to consider taking a support position on this bill.

Bill language is attached.

FISCAL IMPACT/FINANCING:

There is no fiscal impact associated with the response to this request.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The letter in support of AB 2727 supports Tulare County's Strategic Initiative of Organizational Performance – Continuously improve organizations effectiveness and fiscal stability.

SUBJECT: Approve letter of support for AB 2727
DATE: May 8, 2018

ADMINISTRATIVE SIGN-OFF:

Julieta Martinez
Chief of Staff

Cc: Auditor-Controller
County Counsel
County Administrative Office (2)

Attachment(s) Letter of support
AB 2727 Bill Text

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF APPROVE LETTER)
IN SUPPORT OF AB 2727) Resolution No. _____
) Agreement No. _____
)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: MICHAEL C. SPATA
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

Approved a letter in support of AB 2727, Flora - Personal income taxes: credit: firefighters.

May 8, 2018

The Honorable Heath Flora
Member, California State Assembly
State Capitol, Room 3098
Sacramento, CA 95814

**RE: Assembly Bill 2727 – SUPPORT
As Amended April 10, 2018**

Dear Assembly Member Flora:

On behalf of the County of Tulare, we write to offer our support for your Assembly Bill 2727, which provides a personal income tax credit for costs incurred for training and equipment by qualified firefighters. Tulare County has 27 fire stations, with over 180 volunteer firefighters.

Rural fire districts rely heavily upon the volunteer services of members from their communities to provide a critical public service, responding to structure fires and emergency response calls. In addition, these firefighters are often on the first line of defense, along with the California Department of Forestry and Fire Protection, on the devastating wildland fires in their own communities. In some parts of rural California, volunteer firefighters are the only local fire department.

Over the years, the training requirements and equipment for volunteer (and paid personnel) have increased in time and expense. While the fire districts generally provide the minimum training and safety equipment, often these individuals are not reimbursed for travel to the required training and incur expenses on additional training or higher quality safety equipment. It has become increasingly difficult for the rural fire districts to recruit and retain volunteer firefighters.

Since 2007, Tulare County has seen a reduction in the amount of employed Extra Help Firefighters. Down from 400 volunteers between 2004 and 2007, there are numerous entry level training requirements that have hindered the recruitment process. AB 2727 presents an opportunity to give an incentive for those who want to serve in our communities in the fire protection service.

AB 2727 would provide a personal income tax credit up to 80 percent of the amount incurred by volunteer firefighters and 35 percent to paid professional firefighters, not to exceed \$1,500 a year. This is a small recognition that these individuals that put their lives on the line to protect the lives and properties of others within their community deserve to have some of their self-paid costs mitigated with a tax credit.

For these reasons, the County of Tulare supports AB 2727. If you should have any questions or concerns, please do not hesitate to contact our office at 559-636-5000.

Sincerely,

Pete Vander Poel, Chairman
Tulare County Board of Supervisors

J. Steven Worthley, Vice-Chairman
Tulare County Board of Supervisors

Kuyler Crocker, District One
Tulare County Board of Supervisors

Amy Shuklian, District Three
Tulare County Board of Supervisors

Michael Ennis, District Five
Tulare County Board of Supervisors

cc: Members, Assembly Appropriations Committee
Paul Yoder, Yoder/Shaw/Antwih
Tulare County Delegation

AMENDED IN ASSEMBLY APRIL 10, 2018

CALIFORNIA LEGISLATURE—2017—18 REGULAR SESSION

ASSEMBLY BILL

No. 2727

Introduced by Assembly Member Flora

February 15, 2018

An act to add and repeal Section 17053.55 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

LEGISLATIVE COUNSEL'S DIGEST

AB 2727, as amended, Flora. Personal income taxes: credit: ~~volunteer~~ firefighters.

The Personal Income Tax Law authorizes various credits against the taxes imposed by that law.

This bill would authorize a credit against that tax for each taxable year beginning on and after January 1, 2019, and before January 1, ~~2028~~, 2024, in an amount equal to 35% *or* 80% of the amount paid or incurred by a qualified firefighter during the taxable year for qualified firefighter expenses, as defined, ~~not to exceed \$1,500~~, *and would limit the amount of the credit allowed to a taxpayer for each taxable year to \$1,500.*

This bill would take effect immediately as a tax levy.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 17053.55 is added to the Revenue and
- 2 Taxation Code, to read:

1 17053.55. (a) (1) For each taxable year beginning on or after
2 January 1, 2019, and before January 1, ~~2028~~, 2024, there shall be
3 allowed as a credit against the “net tax,” as defined in Section
4 17039, of a qualified firefighter an amount equal to 35 or 80
5 percent, ~~not to exceed one thousand five hundred dollars (\$1,500),~~
6 percent of the amount paid or incurred during the taxable year for
7 qualified firefighter ~~expenses~~. *expenses. The amount of a credit*
8 *allowed under this section to a taxpayer shall not exceed one*
9 *thousand five hundred dollars (\$1,500) for each taxable year.*

10 (2) *For purposes of paragraph (1), the applicable credit*
11 *percentage shall be:*

12 (A) *Thirty-five percent of the amount paid or incurred during*
13 *the taxable year for qualified firefighter expenses by a qualified*
14 *firefighter described in subparagraph (B) of paragraph (3) of*
15 *subdivision (b).*

16 (B) *Eighty percent of the amount paid or incurred during the*
17 *taxable year for qualified firefighter expenses by a qualified*
18 *firefighter described in subparagraph (A) of paragraph (3) of*
19 *subdivision (b).*

20 (b) For purposes of this section, all of the following apply:

21 (1) “Certifying entity” means any fire department, as specified
22 in this section, the Department of Forestry and Fire Protection,
23 and any county forestry or firefighting department or unit, to which
24 the qualified firefighter reports.

25 (2) “Qualified firefighter expenses” means the amount paid or
26 incurred by a qualified firefighter, for which the qualified
27 firefighter was not reimbursed, for training and equipment that
28 was obtained in order to serve as a qualified firefighter.

29 (3) “Qualified firefighter” means either of the following:

30 (A) A volunteer firefighter who is registered as an active
31 firefighting member of any regularly organized volunteer fire
32 department having official recognition, and full or partial support
33 of the government of the county, city, town, or district ~~in~~ *in this*
34 state in which the volunteer fire department is located.

35 (B) A professional firefighter who is employed as a firefighter
36 by the Department of Forestry and Fire Protection, or any county
37 forestry or firefighting department or unit in this state, or any
38 firefighter hired to serve as a firefighter by a fire department of a
39 city, county, city and county, district, or other public or municipal
40 corporation or political subdivision of this state.

- 1 (c) In order to be eligible for a tax credit authorized by this
2 section, the qualified firefighter shall do all of the following:
- 3 (1) Submit a request to the certifying entity for certification of
4 both of the following:
- 5 (A) That the firefighter is a qualified firefighter as provided by
6 this section.
- 7 (B) That the equipment for which the qualified firefighter is
8 claiming a credit under this section was obtained in order to serve
9 as a qualified firefighter.
- 10 (2) Retain for his or her records a copy of the certificate issued
11 by the certifying entity as specified in subdivision (d).
- 12 (3) Provide a copy of the certification to the Franchise Tax
13 Board upon request. If the qualified firefighter fails to comply with
14 the requirements of this subdivision, no credit shall be allowed to
15 that qualified firefighter under this section for any taxable year
16 unless the qualified firefighter subsequently complies.
- 17 (d) The certifying entity shall do all of the following:
- 18 (1) Certify that the firefighter is a qualified firefighter as
19 provided by this section.
- 20 (2) Certify that the equipment for which the qualified firefighter
21 is claiming a credit under this section was obtained in order to
22 serve as a qualified firefighter.
- 23 (3) Provide the qualified firefighter with a copy of the
24 certification to retain for his or her records.
- 25 (e) No deduction shall be allowed as otherwise provided in this
26 part for that portion of expenses paid or incurred for the taxable
27 year which is equal to the amount of the credit allowed under this
28 section attributable to those expenses.
- 29 (f) No credit may be claimed under this section with respect to
30 any amount for which any other credit has been claimed under this
31 part.
- 32 (g) If a qualified firefighter that claims a credit under this section
33 sells, transfers, or otherwise disposes of, either directly or
34 indirectly, any equipment within three years of the taxable year
35 during which he or she first claimed the credit, there shall be added
36 to the "net tax" of the qualified firefighter for the taxable year of
37 sale, transfer, or disposition an amount equal to the total credit
38 claimed multiplied by a fraction, the numerator of which is the
39 remaining term of the three years and the denominator of which
40 is three.

1 (h) In the case where the credit allowed by this section exceeds
2 the “net tax,” the excess may be carried over to reduce the “net
3 tax” for the next three taxable years, or until the credit has been
4 exhausted, whichever occurs first.

5 (i) This section shall remain in effect only until December 1,
6 ~~2028~~, 2024, and as of that date is repealed.

7 SEC. 2. This act provides for a tax levy within the meaning of
8 Article IV of the California Constitution and shall go into
9 immediate effect.

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