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## BILL EXPLANATION

### SENATE BILL NO. 370

#### Assembly Committee on Taxation

Hearing Date: May 13, 2003

**Summary:** Authorizes board of county commissioners to impose additional tax on transfer of real property for control of invasive species and certain endemic pests and weeds. If approved, Section 18 makes the act effective on July 1, 2003.

**Section 1:** Authorizes a county's board of county commissioners to impose an additional tax on the transfer of real property not to exceed \$0.05 for each \$500 of value or fraction thereof on each deed for the transfer of property, if the value of the interest conveyed exceeds \$100. The proceeds of the tax must be transmitted to the State Treasurer for use in the Plant Industry Program.

**Sections 2, 4 and 6 to 16:**

Clarify various statutory provisions to make reference to chapter governing the real property transfer tax rather than to the name of the tax.

**Section 3:** Applies provisions relating to the payment of the real property transfer tax and penalties and interest for unpaid taxes to the new tax authorized in section 1.

**Section 5:** Provides that the exemptions for the existing real property transfer tax apply to the new real property transfer tax authorized pursuant to section 1.

**Section 17:** Requires the Department of Agriculture to allocate the proceeds of any tax imposed pursuant to section 1 in proportion to the amount collected in the county for programs for the exclusion, detection and control of invasive species and certain endemic pests and weeds and for grants to local governments and nonprofit organizations for the control or management of invasive species and certain endemic pests and weeds. The department is also required to present to each board of county commissioners for the board's approval programs for the exclusion, detection and control of invasive species and certain endemic pests and weeds in the county.

Defines "invasive species" to mean any living non-native organism that may present a threat to the economy, environment or public health of the state.