



Legislation Details (With Text)

**File #:** 21-1988      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 12/9/2021      **In control:** Board of Supervisors

**On agenda:** 1/25/2022      **Final action:** 1/25/2022

**Title:** Treasurer-Tax Collector Department, Revenue Recovery Division, recommending the Board approve and authorize the Chair to sign Agreement for Services 6238 with the California Franchise Tax Board, upon execution through December 31, 2024, to allow for participation in the Franchise Tax Board’s Court-Ordered Debt Collection Program.

**FUNDING:** The Franchise Tax Board retains an administrative fee pursuant to Revenue & Taxation Code Sections 19280-19283 to cover the cost of administering this program.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Signed Blue Route, 2. B - Agreement #73902, 3. C - Code Sections

Date	Ver.	Action By	Action	Result
1/25/2022	1	Board of Supervisors	Approved	Pass

Treasurer-Tax Collector Department, Revenue Recovery Division, recommending the Board approve and authorize the Chair to sign Agreement for Services 6238 with the California Franchise Tax Board, upon execution through December 31, 2024, to allow for participation in the Franchise Tax Board’s Court-Ordered Debt Collection Program.

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**DISCUSSION / BACKGROUND**

Since 2006, the Revenue Recovery Division has contracted with the Franchise Tax Board to participate in the Franchise Tax Board’s Court-Ordered Debt Collection Program (“FTB-COD”) for the purpose of collecting unpaid court-ordered fines, forfeitures and penalties. The FTB-COD is a comprehensive collections program offered by the Franchise Tax Board to counties. The program supplements collection efforts when court-ordered debt goes unpaid. The Franchise Tax Board can garnish wages and bank accounts and intercept tax refunds to collect the debts. The Revenue Recovery Division is authorized to operate a Comprehensive Court Collection program pursuant to Penal Code Section 1463.007. The legal authority for the FTB-COD program is contained in Revenue and Taxation Code Sections 19280 through 19283 and Penal Code Sections 1463.010 through 1463.012. Administrative fees that will be retained by the Franchise Tax Board throughout the two-year term are unknown because the fee is based on amounts collected.

**ALTERNATIVES**

If the item is not approved, Treasurer-Tax Collector Department, Revenue Recovery Division, will not be able to participate in the FTB-COD Program, potentially resulting in a reduced amount of debt collections.

**PRIOR BOARD ACTION**

November 20, 2018, Legistar #18-1156, Agenda Item #8, TTC Agreement with CA Franchise Tax Board for January 1, 2019 through December 31, 2021.

**OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel

**CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

**FINANCIAL IMPACT**

No change to Net County Cost. The Franchise Tax Board retains an administrative fee pursuant to Revenue & Taxation Code Sections 19280-19283 to cover the cost of administering this program.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

1. Board Chair to sign three (3) originals of Agreement #6238.
2. Board Clerk to return three (3) signed original Agreements to Treasurer-Tax Collector Department for execution.

**STRATEGIC PLAN COMPONENT**

Good Governance

**CONTACT**

K. E. Coleman, MBA