Ordinance amending the Business and Tax Regulations Code to provide additional penalty relief for payroll expense tax and gross receipts tax payments; to require combined reporting of the payroll expense tax by related taxpayers; and to clarify that fees and special assessments are administered according to the common administrative provisions applicable to other business taxes.

NOTE: Unchanged Code text and uncodified text are in plain Arial font. Additions to Codes are in single-underline italics Times New Roman font. Deletions to Codes are in strikethrough italics Times New Roman font. Board amendment additions are in double-underlined Arial font. Board amendment deletions are in strikethrough Arial font. Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Clarification regarding Proposition E (November 6, 2012) and Sections 6.1-1, 6.2-17, and 6.9-3. Article 6, Sections 6.1-1, 6.2-17, and 6.9-3 of the Business and Tax Regulations Code were amended by Proposition E, adopted by the voters at the election of November 6, 2012. Proposition E amendments become operative on January 1, 2014. Because these Proposition E amendments are not yet operative, they are not included in the currently codified version of the Business and Tax Regulations Code. This ordinance, however, treats Sections 6.1-1, 6.2-17, and 6.9-3 as if the changes are already in the Business and Tax Regulations Code as amended by Proposition E. Accordingly, the amendments in this ordinance shown in Sections 6.1-1, 6.2-17, and 6.9-3 as additions and deletions are amendments of the text of Proposition E as amended by the voters, not the text of these Sections as they now appear in the Business and Tax Regulations Code.
Section 2. The Business and Tax Regulations Code is hereby amended by revising Article 6, Sections 6.1-1, 6.2-17, 6.6-1, 6.9-3, 6.9-5, 6.17-1, 6.17-2, 6.17-3, and 6.21-1 to read as follows:

SEC. 6.1-1. COMMON ADMINISTRATIVE PROVISIONS.

(a) These common administrative provisions shall apply to Article 6, 7, 9, 10, 10B, 11, 12, 12-A, 12-A-1, and 12-B of this Code and to Chapter 105 of the San Francisco Administrative Code, unless the specific language of either Code otherwise requires. Any provision of this Article 6 that references or applies to Article 10 shall be deemed to reference or apply to Article 10B. Any provision of this Article 6 that references or applies to a tax shall be deemed to also reference or apply to a fee administered pursuant to this Article and shall be deemed to also reference or apply to an assessment levied pursuant to the Property and Business Improvement District Law of 1994 (California Streets and Highways Code sections 36600 et seq.) or Article 15 of this Code. A fee administered pursuant to Article 6 or an assessment levied pursuant to the Property and Business Improvement District Law of 1994 or Article 15 of this Code shall for purposes of this Article be deemed to be imposed pursuant to the provisions of the Business and Tax Regulations Code.

(b) Unless expressly provided otherwise, all statutory references in this Article and the Articles set forth in subsection (a) shall refer to such statutes as amended from time to time and shall include successor provisions.

(c) For purposes of this Article, a domestic partnership established pursuant to Chapter 62 of the San Francisco Administrative Code shall be treated the same as a married couple.
SEC. 6.2-17. RETURN.

The term "return" means any written statement required to be filed pursuant to Articles 6, 7, 9, 10, 10A, 11, 12, 12-A or 12-A-1, or pursuant to laws applicable to a fee administered pursuant to Article 6, or pursuant to laws applicable to an assessment levied pursuant to the Property and Business Improvement District Law of 1994 (California Streets and Highways Code sections 36600 et seq.) or Article 15 of this Code.

SEC. 6.6-1. CERTIFICATE OF AUTHORITY FOR THIRD-PARTY TAXES.

* * * *

(f) (1) The Tax Collector may refuse to issue the certificate where, within the 45-day period referred to in subsection (d) above, the Tax Collector determines that the operator, or any signatory to the application, or any person holding a 10 percent or greater legal or beneficial interest in said operator ("10% owner") is not in compliance with any provision of Articles 6, 7, 9, 10, 10B, 12, 12-A, 12-A-1, or the Business and Tax Regulations Code, including but not limited to any failure to timely collect, report, pay, or remit any tax imposed by this Code, or where any such person is not in compliance with any provision of Sections 1215 through 1223 inclusive of Article 17 of the Police Code.

(2) Solely for purposes of determining under this Section whether any such operator, signatory or 10% owner is not in compliance with such Articles, the Tax Collector may disregard any corporation or association owned or controlled, directly or indirectly, by any such operator, signatory or 10% owner and consider such corporation or association's operations and liabilities as conducted by or as owned by any one or more of such corporation or association's officers, directors, partners, members or owners. For purposes of this Section, (A) the term "owned" means ownership of 50 percent or more of the outstanding...
ownership interests in such corporation or association, and (B) the term "controlled" includes any kind of control, whether direct or indirect, whether legally enforceable, and however exercisable or exercised over such corporation or association. A presumption of control arises if the operator, signatory or 10% owner is (or was) an officer, director, partner or member of such corporation or association.

(g) Further, if any person subject to this Section violates any provision of Articles 6, 7, 9, 10, 10B, 12, 12-A, 12-A-1, or 22 the Business and Tax Regulations Code, or a rule or regulation promulgated by the Tax Collector, including but not limited to any failure to timely collect, report, pay, or remit any tax imposed by this Code, failure to maintain accurate registration information, failure to sign any return or pay any tax when due, or failure to timely respond to any request for information, order for records or subpoena, or for failure to comply with the requirements of Article 22 of the Business and Tax Regulations Code or any provision of Sections 1215 through 1223 inclusive of Article 17 of the Police Code, the Tax Collector may, after serving the person with written notice of his or her determination in the manner provided in Section 6.11-2 and an opportunity to be heard pursuant to the notice and review provisions of Section 6.13-1 et seq., refuse to issue that person a new certificate of authority or may revoke or suspend that person's certificate of authority. The Tax Collector may refuse to issue that person a new certificate of authority or to withdraw the suspension of an existing certificate until the person, signatory to the application for the certificate revoked or suspended, signatory to the application for a new certificate or withdrawal of the suspension, and all 10% owners have complied with the provisions of Articles 6, 7, 9, 10, 10B, 12, 12-A, 12-A-1, and 22 the Business and Tax Regulations Code and corrected the original violation to the satisfaction of the Tax Collector. For any person applying for or holding a certificate of authority to collect parking taxes, the Tax Collector shall promptly notify the Chief of Police in writing that it has revoked a person's certificate of authority, refused to issue a new certificate.
of authority, suspended an existing certificate of authority or determined that the person is not in compliance with the Business and Tax Regulations Code. The Tax Collector shall in writing request that the Chief of Police refuse to issue a commercial parking permit to the person or suspend or revoke the person's existing commercial parking permit and immediately close the business, pursuant to Sec. 1215.3(b) of the Police Code.

* * * *

SEC. 6.9-3. DETERMINATIONS, RETURNS AND PAYMENTS.

(a) Remittances. Notwithstanding the due dates otherwise provided in Section 6.9-1, taxpayers shall make remittances of taxes and third-party taxes to the Tax Collector as follows:

(1) Hotel and Parking Taxes. The Hotel Tax (Article 7) and the Parking Tax (Article 9) returns shall be filed monthly and taxes shall be remitted monthly. Such monthly remittances shall be due and payable to the Tax Collector on or before the last day of the month immediately following the month for which such remittance is due.

(2) Payroll Expense Tax and Gross Receipts Tax. The payroll expense tax (Article 12-A) and the gross receipts tax (Article 12-A-1) shall be paid in quarterly installments as follows:

(A) Due Dates. Every person liable for payment of payroll expense tax or gross receipts tax for any tax year shall pay such tax for the subject that tax year in 4 quarterly installments. The first, second, and third quarterly installments shall be due and payable, and shall be delinquent if not paid on or before, April 30, July 31, and October 31st, respectively, of the subject that tax year. The fourth installment shall be reported and paid on or before the last day of February of the immediately following the subject tax year.

(B) Payments—Installment Payments.
(i) Installment Payments—The first, second, and third quarterly installments shall be a credit against the person’s total payroll expense tax or gross receipts tax, as applicable, for the subject tax year in which such first, second, and third quarterly installments are due. The fourth quarterly installment shall be in an amount equal to the person’s total payroll expense tax or gross receipts tax liability for the subject tax year, as applicable, less the amount of the payroll expense tax or gross receipts tax first, second, and third quarterly installments and other tax payments, if any, actually paid.

(ii) Payroll Expense Tax Installments. A person’s first, second, and third quarterly installment payments of payroll expense tax for any tax year shall be computed by using:

\[
\frac{1}{3} \text{The person’s taxable payroll expense (as defined under Article 12-A) for each quarter;} \text{ and } \frac{1}{2} \text{The rate of tax applicable to the tax year in which the first, second, and third quarterly installments are due.}
\]

Notwithstanding the foregoing sentence, and except for taxpayers under Section 953.8 of Article 12-A-1, for tax years commencing after December 31, 2013, the first, second, and third quarterly installments shall be computed using the rates set forth in the following table:

<table>
<thead>
<tr>
<th>Tax Year</th>
<th>1st, 2nd and 3rd Installments</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>1.350%</td>
</tr>
<tr>
<td>2015</td>
<td>1.125%</td>
</tr>
</tbody>
</table>
The fourth quarterly installment shall be in an amount equal to the person's total payroll expense tax liability for the subject tax year, less the amount of the first, second, and third quarterly installments and other tax payments, if any, actually paid. A person's total payroll expense tax liability shall be computed using the rate for the subject tax year computed, certified, and published by the Controller under Section 903.1 of Article 12-A or as otherwise provided in this Article.

(ii) Gross Receipts Tax Installments. A person's first, second, and third quarterly installments of gross receipts tax for any tax year shall be computed by using:

1. The person's taxable gross receipts (as defined under Article 12-A-1) for each quarter; and

2. The rate of tax applicable to the tax year in which the first, second, and third quarterly installments are due.

Notwithstanding the foregoing sentence, and except for taxpayers under Section 953.8 of Article 12-A-1, for tax years commencing after December 31, 2013, the first, second, and third quarterly installments shall be computed using the rates applicable to the person's taxable gross receipts under Sections 953.1 through 953.7 of Article 12-A-1, multiplied by the percentages set forth in the following table:

<table>
<thead>
<tr>
<th>Tax Year</th>
<th>1st, 2nd and 3rd Installments</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>10%</td>
</tr>
<tr>
<td>2015</td>
<td>25%</td>
</tr>
<tr>
<td>Year</td>
<td>Percentage</td>
</tr>
<tr>
<td>------</td>
<td>------------</td>
</tr>
<tr>
<td>2016</td>
<td>50%</td>
</tr>
<tr>
<td>2017</td>
<td>75%</td>
</tr>
<tr>
<td>2018</td>
<td>100%</td>
</tr>
</tbody>
</table>

The fourth quarterly installment shall be in an amount equal to the person's total gross receipts tax liability for the subject tax year, less the amount of the first, second, and third quarterly installments and other tax payments, if any, actually paid. A person's total gross receipts tax liability shall be computed using the rate for the subject tax year computed, certified, and published by the Controller under Section 959 of Article 12-A-1, or as otherwise provided in that Article.

(C) Computation of Liability: Payments.
(i) A person's total payroll expense tax liability shall be computed using the rate for that tax year computed, certified, and published by the Controller under Section 903.1 of Article 12-A or as otherwise provided in Article 12-A. A person's total gross receipts tax liability shall be computed using the rate for that tax year computed, certified, and published by the Controller under Section 959 of Article 12-A-1, or as otherwise provided in Article 12-A-1.
(ii) Any amounts paid on a person's payroll expense tax liability for a tax year that are in excess of that person's actual payroll expense tax liability for that year shall be credited to that person's gross receipts tax liability for that year. Any amounts paid on a person's gross receipts tax liability for a tax year that are in excess of that person's actual gross receipts tax liability for that year shall be credited to that person's payroll expense tax liability for that year.

(b) Tax Installment Penalties. Every person who fails to pay any tax installment required under this Section before the relevant delinquency date shall pay a penalty in the amount of 5 percent of the amount of the delinquent tax installment per month, or fraction thereof, up to 20 percent in the aggregate, and shall also pay interest on the amount of the
delinquent tax installment from the date of delinquency at the rate of 1 percent per month, or fraction thereof, for each month the installment is delinquent, until paid.

The penalty and interest provided under this subsection shall not apply if each of the payroll expense tax and gross receipts tax payments are equal to or greater than the actual tax owed for that quarter, or the sum of the payroll expense tax payments and gross receipts tax payments is equal to or greater than 26 percent of the sum of the payroll expense tax and gross receipts tax liability for the immediately preceding tax year. For taxpayers under Section 953.8 of Article 12-A-1, for tax year 2014 only, the penalty and interest provided under this subsection shall also not apply if a first, second, or third gross receipts tax quarterly installment payment is in an amount that is at least 26 percent of the payroll expense tax liability for the immediately preceding tax year.

(c) Hotel and Parking Taxes. An operator subject to the Hotel Tax (Article 7) or the Parking Tax (Article 9) shall make monthly remittances in the amount of the actual tax owed.

(d) Forms and Adjustments. Tax remittances required under this Section shall be accompanied by a tax remittance form prepared by the Tax Collector, but failure of the Tax Collector to furnish the taxpayer with a tax remittance form shall not relieve the taxpayer from any tax payment obligation.

SEC. 6.9-5. DETERMINATIONS, RETURNS AND PAYMENTS; CREDITS AND EXEMPTIONS.

The credits and exemptions set forth in Articles 6, 7, 9, 10, 10B, 11, 12, 12-A, 12-A-1, and 12-C, in laws applicable to fees administered pursuant to Article 6, and in laws applicable to assessments levied pursuant to the Property and Business Improvement District Law of 1994 (California Streets and Highways Code sections 36600 et seq.) or Article 15 of this Code, are provided on the assumption that the City has the power to offer such credits and exemptions. If a credit or exemption is invalidated by a court of competent jurisdiction, the taxpayer must
pay any additional amount that the taxpayer would have owed but for such invalid credit or exemption. Amounts owed as a result of the invalidation of a credit or exemption that are paid within 3 years after the decision of the court becomes final shall not be subject to interest or penalties.

SEC. 6.17-1. PENALTIES AND INTEREST FOR FAILURE TO PAY.

(a) Any person who fails to pay any tax to the City, or any operator or other person who fails to collect and remit any third-party taxes shall pay a penalty of 5 percent of the tax, if the failure is for not more than 1 month after the tax became delinquent, plus an additional 5 percent for each following month or fraction of a month during which such failure continues, up to 20 percent in the aggregate, until the date of payment. Any taxes remaining unpaid for a period of 90 days after notification that the tax is delinquent shall be subject to an additional penalty of 20 percent of the tax or amount of the tax. The penalty and interest provided under this subsection shall not apply if the sum of the payroll expense tax payments and gross receipts tax payments is equal to or greater than the sum of the payroll expense tax and gross receipts tax liability for that tax year.

(b) If the failure to pay any tax is due to fraud or an intent to evade the Business and Tax Regulations Code or the Tax Collector's rules and regulations, an additional penalty in the amount of 50 percent of the amount due, in addition to any other penalties and interest, shall be added thereto. A taxpayer or other person against whom a fraudulent failure to pay penalty is asserted is entitled to a notice of such determination to be issued in accordance with the provisions of Section 6.11-1 et seq. and to the appeal rights set forth in Section 6.13-1 et seq.

(c) Unpaid taxes and penalties shall also accrue interest at the rate of 1 percent per month, or fraction of a month, from the date the taxes become delinquent through the date the penalty is assessed.
taxpayer or operator pays the delinquent taxes, penalties, interest and fees accrued to the
date of payment in full.

SEC. 6.17-2. PENALTIES FOR UNDERREPORTING OF TAX.

(a) Penalties for Negligence. If the Tax Collector determines that all or part of any
tax required to be reported on any return was underreported and that such underreporting
was attributable to negligence, the Tax Collector may impose a penalty in the amount of 5
percent of the amount of the underreported tax, in addition to the tax or amount of tax, if the
negligence is for not more than 1 month, with an additional 5 percent for each month or
fraction of a month during which such negligence continues, up to 20 percent in the
aggregate.

(b) Penalties for Intentional Disregard of Rules, Fraud, or Intent to Evade Tax.
When it is determined by the Tax Collector that all or part of any tax required to be reported
on any return was underreported and such underreporting was attributable to fraud or an
intent to evade the Business and Tax Regulations Code, the Tax Collector may impose a
penalty in the amount of 50 percent of the amount of the underreported tax. The taxpayer or
other person determined to be liable for penalties pursuant to this Section is entitled to a
notice of deficiency determination or jeopardy determination and to the appeal rights as to
such determinations.

(c) Additional Penalty for Substantial Underreporting.

(1) For purposes of this section, "substantial underreporting of tax" means
the tax finally determined by the Tax Collector under Articles 7, 9, 10, 10B, 11, 12-A, or 12-A-1 of
this Business and Tax Regulations Code exceeds the amount of tax reported on a taxpayer’s
original or amended return for a taxable period by 25 percent or more, or if no return is filed,
the tax liability determined by the Tax Collector pursuant to Section 6.11-1 exceeds $5000.
(2) If the Tax Collector determines that a taxpayer has made a substantial underreporting of tax for any taxable period, the Tax Collector may impose an additional penalty in an amount equal to 50 percent of the tax attributable to the substantially underreported amount. The penalty for substantial underreporting is in addition to any other penalty imposed under this Article 6.

(3) The additional penalty for substantial underreporting applies to all taxable periods ending on or after June 19, 2010.

SEC. 6.17-3. NEGLIGENCE PENALTIES FOR FAILURE TO REGISTER, MISSTATEMENTS IN REGISTRATION, FAILURE TO TIMELY UPDATE REGISTRATION, FAILURE TO ALLOW INSPECTION OF RECORDS UPON REQUEST, AND FAILURE TO FILE A RETURN; SANCTION FOR FAILURE TO PRODUCE REQUESTED RECORDS.

(a) Any person who fails to register, fails to amend a registration within 7 days of a material change or who makes a material misrepresentation in a registration or who fails to comply with a rule or regulation promulgated by the Tax Collector in a timely manner shall pay, in addition to any other liability that may be imposed under the provisions of this Article, a penalty in an amount equal to either $100 or the penalty assessed pursuant to Section 6.17-1, whichever is greater.

(b) The Tax Collector may impose a penalty upon any person who fails to file a return or returns required under this Article on or before the date prescribed for filing up to $500 for each such failure. The penalty under this provision shall be in addition to any other liability that may be imposed under the provisions of this Article. Filing a return that the Tax Collector determines to be incomplete in any material aspect may be deemed failure to file a return in violation of this Section. Any return required to be filed on a combined basis, and which is not filed on that basis, is an incomplete return. In addition, any return required to report worldwide
gross receipts and payroll of a person or combined group under Section 956.2, which does not report
gross receipts and payroll on a worldwide basis, is an incomplete return.

(c) Any person who fails to allow a full inspection of records pursuant to a request
made by the Tax Collector within the time prescribed by the Tax Collector shall pay, in
addition to any other liability that may be imposed under the provisions of this Article, a
penalty in the amount of $500 for each such failure.

(d) Unless the failure to allow inspection was due to reasonable cause and not
willful neglect, any person who fails to provide records pursuant to a written request made by
the Tax Collector may not contest the Tax Collector's decision regarding the amount of such
person's liability for any taxes, administrative collection costs, interest, penalties or other costs
and charges imposed under the Business and Tax Regulations Code, or oppose the collection
of such amount, in any subsequent administrative or judicial proceeding, on the basis of any
record the Tax Collector previously requested in writing that such person failed to make
available to the Tax Collector on or before the earliest to occur of the following:

(1) The conclusion of the hearing on a petition for redetermination held
pursuant to Sections 6.12-5 or 6.13-2;

(2) The date the jeopardy determination became final under Section 6.12-5 if
such person did not request hearing thereon;

(3) The date the deficiency determination became final under Section 6.13-4
if such person did not request a hearing thereon.
SEC. 6.21-1. TRANSFEREE AND SUCCESSOR LIABILITY.

(a) No person shall purchase or acquire an interest in a business subject to any tax imposed under the Business and Tax Regulations Code without first obtaining either a receipt from the Tax Collector showing that all of the seller's taxes on the business have been paid, or a certificate stating that no amount is due. For purposes of this Section, "purchase" shall include any other voluntary transfer for consideration of a business, except for purchase of stock of a publicly-traded company.

(b) The Tax Collector shall issue such a receipt or certificate, or a notice of the amount that must be paid as a condition of issuing the certificate, to the buyer within 30 days after receiving a written request. However, failure of the Tax Collector to timely mail the notice will not release the buyer from his or her obligations under this Section, except to the extent of penalties and interest in the event that the Tax Collector enforces the buyer's obligation in a civil action authorized pursuant to the Business and Tax Regulations Code.

(c) If the buyer purchases or acquires an interest in a business owing any taxes, interest or penalties imposed under Articles 7, 9, 12-A, or 12-A-1, the buyer shall withhold from the purchase price and pay to the Tax Collector a sufficient amount to satisfy said taxes, interest and penalties.

(d) If the buyer purchases or acquires an interest in a business in violation of this Section, the buyer shall become personally liable for the amount of taxes, interest and penalties owed on the business.

(e) The buyer's obligations shall accrue at the time the business is purchased or the interest acquired, or at the time the Tax Collector determines the seller's final liability, whichever is later.

(f) The liability at law or in equity of a successor, transferee or alter ego of any taxpayer or other person determined to be liable for any tax, interest, cost or penalty subject
to this Article, imposed upon a taxpayer may be determined, collected and paid in the same manner and subject to the same provisions and limitations as a deficiency determination pursuant to Sections 6.11-1, 6.11-2, and 6.13-1 et seq. Nothing in this subsection shall be construed to limit the rights or procedures available to the Tax Collector to collect from any successor, transferee or alter ego, at law or in equity, as may be provided by law.

Section 3. The Business and Tax Regulations Code is hereby amended by revising Article 12-A, Section 907, to read as follows:

SEC. 907. PAYMENTS, RETURNS, PREPAYMENTS INSTALLMENT PAYMENTS AND EXTENSIONS.

(a) Payments, returns, prepayments installment payments and extensions for persons subject to this Article shall be as prescribed in the common administrative provisions set forth in Article 6.

(b) For tax years commencing after December 31, 2013, a combined group as described in Section 956.3 of Article 12-A-1 must file a single payroll expense tax return; the combined group must choose a single person to file the return on its behalf. Each person within the combined group engaging in business in the City must provide a power of attorney to the person filing the return, authorizing the person filing the return to file said return and to act on behalf of each person with respect to payments, refunds, audits, resolutions, and any other items related to the tax liability reflected in the return. The power of attorney shall be substantially in a form prescribed or approved by the Tax Collector. Each return filed by a combined group constitutes a combined return under this Article and Article 6. The person filing any combined return shall pay the tax liability reflected on the return and any liability determined on audit at the time and in the manner set forth for returns and liabilities in Article 6. The payroll expense tax liability of each person within a combined group.
including any applicable exemptions or exclusions, shall be computed as if that person was filing its own separate return. The total liability on the combined return shall be the sum of the liabilities of each person within the combined group.

Section 4. The Business and Tax Regulations Code is hereby amended by revising Article 12-A-1, Section 956.3, as follows:

SEC. 956.3. COMBINED RETURNS.

A person engaging in business within the City must file gross receipts tax returns as provided in Article 6. Those returns must be filed on a combined basis with all of that person’s related entities. That person, and all of that person’s related entities, constitute a combined group. Every combined group must file a single return; the combined group may choose a single person to file the return on its behalf. Each person within the combined group engaging in business in the City must provide a power of attorney to the person filing the return, authorizing the person filing the return to file said return and to act on behalf of each person with respect to payments, refunds, audits, resolutions, and any other items related to the tax liability reflected in the return. The power of attorney shall be substantially in a form prescribed or approved by the Tax Collector. Each return filed by a combined group constitutes a combined return under this Article and Article 6. The person filing any combined return shall pay the tax liability reflected on the return and any liability determined on audit at the time and in the manner set forth for returns and liabilities in Article 6.

Section 5. Effective and Operative Dates.

(a) This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or
does not sign the ordinance within ten days of receiving it, or the Board of Supervisors
overrides the Mayor's veto of that ordinance.

(b) This ordinance shall become operative January 1, 2014.


(a) If any section, sentence, clause, phrase, or portion of this ordinance is for any
reason held to be invalid or unenforceable by a court of competent jurisdiction, the remaining
sections, sentences, clauses, phrases, or portions of this ordinance shall nonetheless remain
in full force and effect. The Board of Supervisors of the City and County of San Francisco
hereby declares that it would have adopted each section, sentence, clause, phrase, or portion
of this ordinance, irrespective of the fact that any one or more sections, sentences, clauses,
phrases, or portions of this ordinance be declared invalid or unenforceable and, to that end,
the provisions of this ordinance are severable.

(b) No section, clause, part or provision of this ordinance shall be construed as
requiring the payment of any tax that would be in violation of the Constitution or laws of the
United States or of the Constitution or laws of the State of California.

Section 7. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
//
//
//
additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: __________________________
   Carole F. Ruwart
   Deputy City Attorney

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File Number: 131031  Date Passed: November 26, 2013

Ordinance amending the Business and Tax Regulations Code to provide additional penalty relief for payroll expense tax and gross receipts tax payments; to require combined reporting of the payroll expense tax by related taxpayers; and to clarify that fees and special assessments are administered according to the common administrative provisions applicable to other business taxes.

November 06, 2013 Budget and Finance Committee - RECOMMENDED

November 19, 2013 Board of Supervisors - PASSED, ON FIRST READING
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

November 26, 2013 Board of Supervisors - FINALLY PASSED
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 131031

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 11/26/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

Date Approved

11/28/13