
**Introduced by Senator Ochoa Bogh
(Coauthors: Senators Alvarado-Gil, Grove, and Valladares)**

February 20, 2026

An act to amend Sections 167, 1603, and 1604 of the Revenue and Taxation Code, relating to taxation.

LEGISLATIVE COUNSEL'S DIGEST

SB 1402, as introduced, Ochoa Bogh. Property taxation: imposition and assessment: appeals.

(1) Existing property tax law, except as provided, establishes a rebuttable presumption regarding the burden of proof in favor of a taxpayer or assessee who has supplied the required information to the assessor in an administrative hearing involving, among other things, the imposition of a tax on, or an assessment of, an owner-occupied single-family dwelling, as defined.

This bill would, instead, establish a rebuttable presumption, as described above, in an administrative hearing involving, among other things, the imposition of a tax on, or assessment of, residential real property. The bill would define residential real property to mean real property improved with one or more units used or intended for human habitation, including single-family residences, condominiums, cooperative units, duplexes, and multifamily residential property with fewer than 4 units, and any land and appurtenant improvements thereon.

(2) Existing property tax law prohibits a reduction in an assessment on the local roll from being made unless the party affected or the party's agent makes and files with the county board a verified, written application showing the facts claimed to require the reduction and the applicant's opinion of the full value of the property.

This bill would prohibit an assessor, tax collector, or auditor from charging or collecting a fee for that application for homes valued less than \$2,500,000.

(3) Existing property tax law, subject to certain exceptions, makes the applicant's opinion of value, as reflected on an application for reduction in assessment of property, the value upon which taxes are to be levied for the tax year or tax years covered by the application if the county board fails to hear evidence and fails to make a final determination on the application within 2 years of the timely filing of the application.

This bill would reduce that time period to hear evidence and to make a final determination to within 6 months of the timely filing of the application. The bill would also make conforming changes.

Existing property tax law prohibits a reduction in assessment reflecting the applicant's opinion of value from being made until 2 years after the close of the filing period during which the timely application was filed. Existing property law, notwithstanding the 2-year time period to hear evidence and make a final determination described above, or any other law, retroactively extends the 2-year deadline by which a county board is required to render a final determination on a qualified application, as defined, until December 31, 2021, as provided.

This bill would remove those provisions.

(4) By increasing the duties of local officials, this bill would impose a state-mandated local program.

(5) This bill would include findings that changes proposed by this bill address a matter of statewide concern and, therefore, apply to all counties, including charter counties.

(6) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. (a) The Legislature finds and declares all of the
2 following:

1 (1) The rising cost of living and increasing property values in
2 California continue to financially burden the possibility of future
3 and long-term home ownership.

4 (2) California has the second lowest rate of home ownership in
5 the United States.

6 (3) Fluctuating property taxes and rising home values have
7 created a widening gap between first-time buyers and long-time
8 homeowners who secured their properties decades ago at far more
9 reasonable prices.

10 (4) California's property tax system is built on a foundational
11 1-percent base rate established by Proposition 13 and varies
12 significantly across counties. San Francisco Bay area properties
13 have a higher annual property tax rate of 0.95 percent compared
14 to areas with lower property values, such as in the County of
15 Modoc.

16 (5) As home values rise, older adults on fixed incomes face
17 increasing financial hardship, including higher long-term care
18 costs, housing instability, and even the risk of homelessness.
19 Studies indicate that older adults prefer to remain in their homes
20 and communities as they age.

21 (6) For the average homeowner and for the average senior,
22 ensuring that improving accessibility to the property tax appeals
23 process is essential, which helps homeowners remain in their homes
24 and reduces the risk of displacement into rental housing or
25 homelessness.

26 (7) The property tax appeals applications are generally due
27 between July 2 and September 15, but the deadline is extended to
28 November 30 if the county assessor fails to provide notice of the
29 assessed value by August 1. For counties across the state,
30 inconsistencies in the property tax filing process create an
31 inequitable and an unbalanced property tax appeals system.

32 (8) Improving affordability and reducing backlogs in the
33 property tax appeals system protect homeowners from being
34 indebted with inaccurate assessments and the ability to avoid
35 further financial strain.

36 (b) The Legislature finds and declares that Sections 2, 3, and 4
37 of this act amending Sections 167, 1603, and 1604, respectively,
38 of the Revenue and Taxation Code address a matter of statewide
39 concern. Therefore, Sections 2, 3, and 4 of this act apply to all
40 counties, including charter counties.

1 SEC. 2. Section 167 of the Revenue and Taxation Code is
2 amended to read:

3 167. (a) Notwithstanding any other ~~provision of law to the~~
4 ~~contrary, law~~, and except as provided in subdivision (b), there shall
5 be a rebuttable presumption affecting the burden of proof in favor
6 of the taxpayer or assessee who has supplied all information as
7 required by law to the assessor in any administrative hearing
8 involving the imposition of a tax on ~~an owner-occupied~~
9 ~~single-family dwelling~~, *residential real property*, the assessment
10 of ~~an owner-occupied single-family dwelling pursuant to this~~
11 ~~division~~, *residential real property*, or the appeal of an escape
12 assessment.

13 (b) Notwithstanding subdivision (a), the rebuttable presumption
14 described in that subdivision shall not apply in the case of an
15 administrative hearing with respect to the appeal of an escape
16 assessment resulting from a taxpayer's failure either to file with
17 the assessor a change in ownership statement or a business property
18 statement, or to obtain a permit for new construction.

19 (c) For the purposes of this ~~section~~, ~~an owner-occupied section~~:

20 (1) "*Owner-occupied single-family dwelling dwelling*" means
21 a single-family dwelling that satisfies both of the following:

22 (1)

23 (A) The dwelling is the owner's principal place of residence.

24 (2)

25 (B) The dwelling qualifies for a homeowners' property tax
26 exemption.

27 (2) "*Residential real property*" means *real property improved*
28 *with one or more units used or intended for human habitation,*
29 *including single-family residences, condominiums, cooperative*
30 *units, duplexes, and multifamily residential property with fewer*
31 *than four units, and any land and appurtenant improvements*
32 *thereon.*

33 SEC. 3. Section 1603 of the Revenue and Taxation Code is
34 amended to read:

35 1603. (a) (1) A reduction in an assessment on the local roll
36 shall not be made unless the party affected or ~~his or her~~ *the party's*
37 agent makes and files with the county board a verified, written
38 application showing the facts claimed to require the reduction and
39 the applicant's opinion of the full value of the property. The form

1 for the application shall be prescribed by the State Board of
2 Equalization.

3 (2) *An assessor, tax collector, or auditor shall not charge or*
4 *collect a fee for an application, as required under paragraph (1),*
5 *for homes valued at less than two million five hundred thousand*
6 *dollars (\$2,500,000).*

7 (b) (1) The application shall be filed within the time period
8 from July 2 to September 15, inclusive. An application that is
9 mailed and postmarked September 15 or earlier within that period
10 shall be deemed to have been filed within the time period beginning
11 July 2 and continuing through and including September 15.

12 (2) Notwithstanding paragraph (1), if the taxpayer does not
13 receive the notice of assessment described in Section 619 at least
14 15 calendar days prior to the deadline to file the application
15 described in this subdivision, the party affected, or ~~his or her~~ *the*
16 *party's* agent, may file an application within 60 days of receipt of
17 the notice of assessment or within 60 days of the mailing of the
18 tax bill, whichever is earlier, along with an affidavit declaring
19 under penalty of perjury that the notice was not timely received.

20 (3) Notwithstanding paragraph (1), the last day of the filing
21 period shall be extended to November 30 in the case of an assessee
22 or party affected with respect to all property located in a county
23 where the county assessor does not provide, by August 1, a notice,
24 as described in Section 619, to all assessees of real property on
25 the local secured roll of the assessed value of their real property
26 as it shall appear or does appear on the completed local roll,
27 including the annual increases in assessed value caused solely by
28 increases in the valuation of property that reflect the inflation rate,
29 not to exceed 2 percent, pursuant to the authority of subdivision
30 (b) of Section 2 of Article XIII A of the California Constitution.

31 (A) The county assessor shall notify the clerk of the county
32 board of equalization and the county tax collector by April 1 of
33 each year as to whether the notice specified in this paragraph will
34 be provided by August 1.

35 (B) The clerk shall certify the last day of the filing period and
36 shall immediately notify the State Board of Equalization as to
37 whether the last day of the filing period for the county will be
38 September 15 or November 30.

39 (C) The State Board of Equalization shall maintain a statewide
40 listing of the time period to file an application in each county.

1 (D) The provisions of Section 621 may not be substituted as a
2 means of providing the notice specified in this paragraph.

3 (4) If a final filing date specified in this subdivision falls on
4 Saturday, Sunday, or a legal holiday, an application that is mailed
5 and postmarked on the next business day shall be deemed to have
6 been filed within the requisite time period specified in this
7 subdivision. If on any final filing date specified in this subdivision,
8 the county's offices are closed for business prior to 5 p.m. or for
9 that entire day, that day shall be considered a legal holiday for
10 purposes of this section.

11 (c) The application may be filed within 12 months following
12 the month in which the assessee is notified of the assessment, if
13 the party affected or ~~his or her~~ *the party's* agent and the assessor
14 stipulate that there is an error in the assessment as the result of the
15 exercise of the assessor's judgment in determining the full cash
16 value of the property and a written stipulation as to the full cash
17 value and assessed value is filed in accordance with Section 1607.

18 (d) Upon the recommendation of the assessor and the clerk of
19 the county board of equalization, the board of supervisors may
20 adopt a resolution providing that an application may be filed within
21 60 days of the mailing of the notice of the assessor's response to
22 a request for reassessment pursuant to paragraph (2) of subdivision
23 (a) of Section 51, if all of the following conditions are met:

24 (1) The request for reassessment was submitted in writing to
25 the assessor in the form prescribed by the State Board of
26 Equalization and includes all information that is prescribed by the
27 State Board of Equalization.

28 (2) The request for reassessment was made on or before the
29 immediately preceding March 15.

30 (3) The assessor's response to the request for reassessment was
31 mailed on or after September 1 of the calendar year in which the
32 request for reassessment was made.

33 (4) The assessor did not reduce the assessment in question in
34 the full amount as requested.

35 (5) The application for changed assessment is filed on or before
36 December 31 of the year in which the request for reassessment
37 was filed.

38 (6) The application for reduction in assessment is accompanied
39 by a copy of the assessor's response to the request for reassessment.

1 (e) In the form provided for making an application pursuant to
2 this section, there shall be a notice that written findings of facts of
3 the local equalization hearing will be available upon written request
4 at the requester's expense and, if not so requested, the right to
5 those written findings is waived. The form shall provide appropriate
6 space for the applicant to request written findings of facts as
7 provided by Section 1611.5.

8 (f) The form provided for making an application pursuant to
9 this section shall contain the following language in the signature
10 block:

11 I certify (or declare) under penalty of perjury under the laws of
12 the State of California that the foregoing and all information
13 hereon, including any accompanying statements or documents, is
14 true, correct, and complete to the best of my knowledge and belief
15 and that I am (1) the owner of the property or the person affected
16 (i.e., *i.e.*), a person having a direct economic interest in the
17 payment of the taxes on that property—"The Applicant," (2) an
18 agent authorized by the applicant under Item 2 of this application,
19 or (3) an attorney licensed to practice law in the State of California,
20 State Bar No. _____, who has been retained by the applicant and
21 has been authorized by that person to file this application.

22 (g) The clerk of a county board of equalization may accept an
23 electronically filed application for changed assessment containing
24 an electronic signature if all of the following criteria are met:

25 (1) The application complies with all other requirements for
26 filing the application.

27 (2) The electronic signature is accompanied by the certification
28 described in subdivision (f).

29 (3) The electronic signature is authenticated in a manner that is
30 approved by the county board of supervisors, which manner may
31 include, but is not limited to, the use of personal identification
32 numbers the clerk has assigned to applicants.

33 SEC. 4. Section 1604 of the Revenue and Taxation Code is
34 amended to read:

35 1604. (a) (1) In counties of the first class, annually, on the
36 fourth Monday in September, the county board shall meet to
37 equalize the assessment of property on the local roll. It shall
38 continue to meet for that purpose, from time to time, until the
39 business of equalization is disposed of.

1 (2) In all other counties, annually, on the third Monday in July,
2 the county board shall meet to equalize the assessment of property
3 on the local roll. It shall continue to meet for that purpose, from
4 time to time, until the business of equalization is disposed of.

5 (b) (1) An application for a reduction in an assessment filed
6 pursuant to Section 1603 shall also constitute a sufficient claim
7 for refund, if the applicant states in the application that the
8 application is also intended to constitute a claim for refund pursuant
9 to the provisions of Section 5097.

10 (2) The county board shall have no power to receive or hear
11 any application for a reduction in an escaped assessment made
12 pursuant to Section 531.1 nor a penal assessment levied in respect
13 thereto, nor to reduce those assessments.

14 (c) (1) If the county board fails to hear evidence and fails to
15 make a final determination on the application for reduction in
16 assessment of property within ~~two years~~ *six months* of the timely
17 filing of the application, the applicant's opinion of value as
18 reflected on the application for reduction in assessment shall be
19 the value upon which taxes are to be levied for the tax year or tax
20 years covered by the application, unless either of the following
21 occurs:

22 (1)

23 (A) The applicant and the county board mutually agree in
24 writing, or on the record, to an extension of time for the hearing.

25 (2)

26 (B) The application for reduction is consolidated for hearing
27 with another application by the same applicant with respect to
28 which an extension of time for the hearing has been granted
29 pursuant to ~~paragraph (1)~~ *subparagraph (A)*. In no case shall the
30 application be consolidated without the applicant's written
31 agreement after the ~~two-year~~ *six-month* time period has passed or
32 after an extension of the ~~two-year~~ *six-month* time period previously
33 agreed to by the applicant has expired.

34 ~~The reduction in assessment reflecting the applicant's opinion~~
35 ~~of value shall not be made, however, until two years after the close~~
36 ~~of the filing period during which the timely application was filed.~~
37 ~~Further, this~~

38 (2) *This* subdivision shall not apply to applications for
39 reductions in assessments of property where the applicant has
40 failed to provide full and complete information as required by law

1 or where litigation is pending directly relating to the issues involved
2 in the application.

3 (d) (1) When the applicant's opinion of value, as stated on the
4 application, has been placed on the assessment roll pursuant to
5 subdivision (c), and the application requested a reduction in the
6 base year value of an assessment, the applicant's opinion of value
7 shall remain on the roll until the county board makes a final
8 determination on the application. The value so determined by the
9 county board, plus appropriate adjustments for the inflation factor,
10 shall be entered on the assessment roll for the fiscal year in which
11 the value is determined. No increased or escape taxes other than
12 those required by a purchase, change in ownership, or new
13 construction, or resulting from application of the inflation factor
14 to the applicant's opinion of value shall be levied for the tax years
15 during which the county board failed to act.

16 (2) When the applicant's opinion of value has been placed on
17 the assessment roll pursuant to subdivision (c) for any application
18 other than an application requesting a reduction in base year value,
19 the applicant's opinion of value shall be enrolled on the assessment
20 roll for the tax year or tax years covered by that application.

21 (e) The county board shall notify the applicant in writing of any
22 decision by that board not to hold a hearing on the applicant's
23 application for reduction in assessment within the ~~two-year~~
24 *six-month* period specified in subdivision (c) or, if applicable,
25 within the period as modified by subdivision (f). This notice shall
26 also inform the applicant that the applicant's opinion of value as
27 reflected on the application for reduction in assessment shall, as
28 a result of the county board's failure to hold a hearing within the
29 prescribed time period, be the value upon which taxes are to be
30 levied in the absence of the application of either ~~paragraph (1) or~~
31 ~~(2) subparagraph (A) or (B) or paragraph (1)~~ of subdivision (c).

32 (f) ~~(1) Notwithstanding subdivision (c) or any other law, the~~
33 ~~two-year deadline by which a county board is required under~~
34 ~~subdivision (c) to render a final determination on a qualified~~
35 ~~application shall be extended until December 31, 2021. This~~
36 ~~extension of the two-year deadline shall apply retroactively to all~~
37 ~~qualified applications that have a two-year deadline under~~
38 ~~subdivision (c) occurring during the period beginning on March~~
39 ~~4, 2020, through December 31, 2021, inclusive.~~

1 ~~(2) For purposes of this subdivision, “qualified application”~~
2 ~~means a pending application for reduction in assessment of~~
3 ~~property as described in subdivision (c) that is timely filed with~~
4 ~~the county board and has a two-year deadline under subdivision~~
5 ~~(c) occurring during the period beginning on March 4, 2020,~~
6 ~~through December 31, 2021, inclusive.~~

7 SEC. 5. No reimbursement is required by this act pursuant to
8 Section 6 of Article XIII B of the California Constitution because
9 a local agency or school district has the authority to levy service
10 charges, fees, or assessments sufficient to pay for the program or
11 level of service mandated by this act, within the meaning of Section
12 17556 of the Government Code.

O