

# CHANGES WITHOUT REGULATORY EFFECT UNDER CALIFORNIA CODE OF REGULATIONS, TITLE 1, SECTION 100

## Statement of Explanation

### Title 18. Public Revenues

#### Regulation 1569, Consignees and Lienors of Tangible Personal Property for Sale

#### **Factual Basis**

California Code of Regulations (CCR), title 18, section (Regulation) 1569, *Consignees and Lienors of Tangible Personal Property for Sale*, implements the Sales and Use Tax Law (Rev. & Tax. Code, § 6001 et seq.), and provides that a person who has possession of property owned by another, and also the power to cause title to that property to be transferred to a third person without any further action on the part of its owner, and who exercises such power, is a retailer when the party to whom title is transferred is a consumer, and tax applies to the gross receipts from that sale. Regulation 1569 also provides that pawnbrokers, storage men, mechanics, artisans, or others selling the property to enforce a lien thereon, are retailers with respect to sales of the property to consumers and tax applies to the receipts from such sales.

#### **Proposed Changes**

The California Department of Tax and Fee Administration (Department) proposes that gender-specific language in Regulation 1569 be replaced with gender-neutral language. Therefore, in the last sentence of the first paragraph, the Department proposes to change “his” to “their” and in the second paragraph, the Department proposes to change “men” to “persons.” These proposed changes are consistent with Assembly Concurrent Resolution (ACR) No. 260 (Stats. 2018, ch. 190), which encourages state agencies to use gender-neutral pronouns and avoid the use of gendered pronouns in regulations.

Accordingly, the Department’s proposed changes to Regulation 1569 are appropriate for processing under CCR, title 1, section (Rule) 100 because they make non-substantive changes to replace gendered language with gender-neutral language consistent with ACR No. 260, and they do not materially alter any requirement, right, responsibility, condition, prescription or other regulatory element of any CCR provision.