

ASSEMBLY BILL

No. 265

Introduced by Assembly Member Alquist

February 16, 2001

An act to add Section 17131.5 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

LEGISLATIVE COUNSEL'S DIGEST

AB 265, as introduced, Alquist. Income taxes: exemption: seniors.

The Personal Income Tax Law imposes taxes on income, including an alternative minimum tax, but excludes or exempts certain income from those taxes.

This bill would additionally exempt from those taxes the income of any qualified taxpayer, as defined.

This bill would take effect immediately as a tax levy.

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

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

- 1 SECTION 1. Section 17131.5 is added to the Revenue and
2 Taxation Code, to read:
3 17131.5. (a) Notwithstanding any other provision of this
4 part, the income of a qualified taxpayer shall be exempt from the
5 tax imposed under Chapter 2 (commencing with Section 17041)
6 or Chapter 2.1 (commencing with Section 17062) of this part.
7 (b) For purposes of this section, a qualified taxpayer means any
8 of the following:

- 1 (1) A single individual or a married individual filing a separate
2 return, who is 65 years of age or older as of December 31 of the
3 taxable year, with California adjusted gross income of twenty five
4 thousand dollars (\$25,000) or less.
- 5 (2) A head of a household, as defined in Section 17042, who is
6 65 years of age or older as of December 31 of the taxable year, with
7 California adjusted gross income of fifty thousand dollars
8 (\$50,000) or less.
- 9 (3) A married couple filing a joint return, if either the husband
10 or wife is 65 years of age or older as of December 31 of the taxable
11 year, with California adjusted gross income of fifty thousand
12 dollars (\$50,000) or less.
- 13 SEC. 2. This act provides for a tax levy within the meaning of
14 Article IV of the Constitution and shall go into immediate effect.

