

AMENDED IN ASSEMBLY MAY 8, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 154

Introduced by Assembly Member Nakanishi
(Coauthor: Assembly Member DeVore)

January 18, 2007

An act to add *and repeal* Sections 17257 and 24356.2 ~~to~~ of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

LEGISLATIVE COUNSEL'S DIGEST

AB 154, as amended, Nakanishi. Personal income tax and corporation income tax: energy efficient commercial buildings.

The Personal Income Tax Law and the Corporation Tax Law authorize various deductions and credits in computing the taxes imposed by those laws.

This bill would authorize, *until December 31, 2010*, in conformance with federal law, ~~a taxpayer who placed an energy efficient commercial building in service during the taxable year, as provided, to deduct~~ *deduction for a taxpayer in an amount equal to the cost of that building an energy efficient commercial building located in this state*, subject to specified restrictions.

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 17257 is added to the Revenue and
2 Taxation Code, to read:

3 17257. (a) Section 179D of the Internal Revenue Code, as
4 amended by *Section 1331 of Title XIII of the Energy Policy Act*
5 *of 2005 (Public Law 109-58)*, relating to energy efficient
6 commercial buildings, shall apply, *except as otherwise provided.*

7 (b) *This section shall apply only to commercial buildings located*
8 *in California that receive a certification pursuant to Section 179D*
9 *of Title 26 of the United States Code on or after January 1, 2008.*

10 (c) *This section shall remain in effect only until December 31,*
11 *2010, and as of that date is repealed, unless a later enacted statute,*
12 *which is enacted before December 31, 2010, deletes or extends*
13 *that date.*

14 SEC. 2. Section 24356.2 is added to the Revenue and Taxation
15 Code, to read:

16 24356.2. (a) Section 179D of the Internal Revenue Code, as
17 amended by *Section 1331 of Title XIII of the Energy Policy Act*
18 *of 2005 (Public Law 109-58)*, relating to energy efficient
19 commercial buildings, shall apply, *except as otherwise provided.*

20 (b) *This section shall apply only to commercial buildings located*
21 *in California that receive a certification pursuant to Section 179D*
22 *of Title 26 of the United States Code on or after January 1, 2008.*

23 (c) *This section shall remain in effect only until December 31,*
24 *2010, and as of that date is repealed, unless a later enacted statute,*
25 *which is enacted before December 31, 2010, deletes or extends*
26 *that date.*

27 SEC. 3. This act provides for a tax levy within the meaning of
28 Article IV of the Constitution and shall go into immediate effect.