

ASSEMBLY BILL

No. 1938

Introduced by Assembly Member Plescia

February 12, 2008

An act to add Section 17052.26 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

LEGISLATIVE COUNSEL'S DIGEST

AB 1938, as introduced, Plescia. Income taxes: credits: spaying or neutering.

The Personal Income Tax authorizes various credits against the taxes imposed by that law.

This bill would authorize a credit against that tax for each taxable year beginning on or after January 1, 2008, in an amount equal to 25% of the aggregate amount paid or incurred by a taxpayer for qualified costs, as defined, to spay or neuter a cat or dog.

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 17052.26 is added to the Revenue and
- 2 Taxation Code, to read:
- 3 17052.26. (a) For each taxable year beginning on or after
- 4 January 1, 2008, there shall be allowed as a credit against the "net
- 5 tax," as defined by Section 17039, an amount equal to 25 percent
- 6 of the aggregate amount paid or incurred by a taxpayer for qualified
- 7 costs to spay or neuter a cat or dog.

1 (b) The credit authorized pursuant to subdivision (a) shall be
2 limited to the qualified costs paid or incurred by a taxpayer for no
3 more than two spaying or neutering operations per calendar year.

4 (c) For purposes of this section, “qualified costs” means both
5 of the following:

6 (1) The actual costs of the spaying or neutering operation.

7 (2) The actual costs of any followup care associated with the
8 spaying or neutering operation.

9 (d) In the case where the credit allowed by this section exceeds
10 the “net tax,” the excess may be carried over to reduce the “net
11 tax” in the following year, and succeeding years if necessary, until
12 the credit is exhausted.

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.