

AMENDED IN ASSEMBLY JANUARY 4, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 318

Introduced by Assembly Member Skinner

February 9, 2011

An act to add Section ~~19571~~ 18410 to the Revenue and Taxation Code, relating to taxation.

LEGISLATIVE COUNSEL'S DIGEST

AB 318, as amended, Skinner. ~~Corporation taxes: Franchise Tax Board: tax expenditures: Reporting Transparency in Government Internet Web site: Franchise Tax Board: administration: legal holiday.~~

The Personal Income Tax Law and the Corporation Tax Law establish specified dates for the filing of tax returns, and provide that if the last day for filing a return falls on a Saturday, Sunday, or other legal holiday, returns may be filed and payments made on the following day without penalty.

This bill would conform to federal income tax law regarding the definition of a legal holiday for the purposes of the Personal Income Tax Law and the Corporation Tax Law.

~~The Corporation Tax Law, which is administered by the Franchise Tax Board, authorizes various credits, deductions, exclusions, exemptions, and other tax benefits with respect to the taxes imposed by that law.~~

~~This bill would, for each taxable year on or after January 1, 2011, require the board to compile information on any tax expenditure claimed and reported by a taxpayer that is a publicly traded company, and would require, beginning on June 30, 2013, and by June 30 of each year thereafter, the board to submit the information to the California~~

Technology Agency for publication on the Reporting Transparency in Government Internet Web site. This bill would require the California Technology Agency to develop on the Reporting Transparency in Government Internet Web site a searchable database of that information, as specified.

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 18410 is added to the Revenue and
2 Taxation Code, to read:

3 18410. For purposes of Part 10 (commencing with Section
4 17001), Part 11 (commencing with Section 23001), and this part,
5 a legal holiday includes a federal legal holiday recognized by the
6 Internal Revenue Service under Section 7503 of the Internal
7 Revenue Code.

8 SECTION 1. Section 19571 is added to the Revenue and
9 Taxation Code, to read:

10 19571. (a) For each taxable year beginning on or after January
11 1, 2011, the Franchise Tax Board shall compile information on
12 any tax expenditure, authorized under Part 11 (commencing with
13 Section 23001), that is claimed and reported by a taxpayer that is
14 a publicly traded company on the annual return required under
15 Part 10.2 (commencing with Section 18401).

16 (b) For the purposes of this section:

17 (1) "Publicly traded company" means a company with securities
18 that are either listed or admitted to trading on a national or foreign
19 exchange, or are the subject of two-way quotations, such as both
20 bid and asked prices, that are regularly published by one or more
21 broker-dealers in the National Daily Quotation Service or a similar
22 service.

23 (2) "Tax expenditure" means a credit against the tax imposed
24 under Part 11 (commencing with Section 23001).

25 (c) Beginning on June 30, 2013, and by June 30 of each year
26 thereafter, the Franchise Tax Board shall submit the tax expenditure
27 information compiled pursuant to subdivision (a) to the California
28 Technology Agency for publication on the Reporting Transparency
29 in Government Internet Web site.

1 ~~(d) The California Technology Agency shall develop on the~~
2 ~~Reporting Transparency in Government Internet Web site a~~
3 ~~searchable database by company name and the amount of tax~~
4 ~~expenditures claimed, to increase public awareness of the amount~~
5 ~~and scope of tax expenditures for businesses in this state.~~

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