

**ASSEMBLY BILL**

**No. 247**

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**Introduced by Assembly Member Wagner**

February 6, 2013

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An act to amend Section 18724 of the Revenue and Taxation Code, relating to taxation.

LEGISLATIVE COUNSEL'S DIGEST

AB 247, as introduced, Wagner. Personal income taxes: voluntary contribution: California Fund for Senior Citizens.

Under the Personal Income Tax Law, taxpayers are allowed to contribute amounts in excess of their tax liability for the support of the California Fund for Senior Citizens until the year in which a specified minimum contribution is not received, or January 1, 2015, which ever occurs first.

This bill would extend the date of January 1, 2015, to January 1, 2020.

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 18724 of the Revenue and Taxation Code  
2 is amended to read:  
3 18724. ~~(a) This article shall remain in effect only until January~~  
4 ~~1, 2015, and as of that date is repealed, unless a later enacted~~  
5 ~~statute, which is enacted before January 1, 2015, deletes that date.~~  
6 18724. (a) *Except as otherwise provided in subdivision (b),*  
7 *this article shall remain in effect only for taxable years beginning*  
8 *before January 1, 2020, and as of December 1, 2020, is repealed.*

1 (b) (1) By September 1, 2006, and by September 1 of each  
2 subsequent calendar year that the California Fund for Senior  
3 Citizens appears on a tax return, the Franchise Tax Board shall  
4 determine whether the amount of contributions estimated to be  
5 received during the calendar year will equal or exceed two hundred  
6 fifty thousand dollars (\$250,000). The Franchise Tax Board shall  
7 estimate the amount of contributions to be received by using the  
8 actual amounts received and an estimate of the contributions that  
9 will be received by the end of that calendar year.

10 (2) The Franchise Tax Board shall provide written notification  
11 to the California Senior Legislature of the amount determined  
12 pursuant to paragraph (1).

13 (3) If the Franchise Tax Board determines the amount of  
14 contributions estimated to be received during a calendar year will  
15 not at least equal the minimum contribution amount for the calendar  
16 year, ~~this article is repealed~~ *shall become inoperative* for taxable  
17 years beginning on or after January 1 of that calendar year, *and*  
18 *shall be repealed on December 1 of that calendar year.*

19 (4) For purposes of this section, the minimum contribution  
20 amount for a calendar year means two hundred fifty thousand  
21 dollars (\$250,000).

22 (c) Notwithstanding the repeal of this article, any contribution  
23 amounts designated pursuant to this article prior to its repeal shall  
24 continue to be transferred and disbursed in accordance with this  
25 article as in effect immediately prior to that repeal.