

ASSEMBLY BILL

No. 1833

Introduced by Assembly Member Garcia

February 18, 2014

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

LEGISLATIVE COUNSEL'S DIGEST

AB 1833, as introduced, Garcia. Personal income taxes: voluntary contributions: California Fund for Senior Citizens.

Existing law allows an individual to designate on his or her tax return that a specified amount in excess of his or her tax liability be transferred to the California Fund for Senior Citizens. Existing law requires moneys in the California Fund for Senior Citizens, upon appropriation by the Legislature, to be allocated to the Franchise Tax Board and the Controller for reimbursement of costs, as provided, and the balance to the California Senior Legislature, for its ongoing activities on behalf of older persons. Existing law requires the funds allocated to the California Senior Legislature to be spent pursuant to the purview of the Joint Rules Committee of the California Senior Legislature in a manner consistent with the bylaws of the California Senior Legislature, as specified.

Existing law provides that these provisions remain in effect only until January 1, 2020, and as of December 1, 2020, are repealed, but further provides for an earlier repeal if the Franchise Tax Board determines that the amount of contributions estimated to be received during a calendar year will not at least equal the specified minimum contribution amount for that calendar year, in which case these provisions would be repealed on December 1 of that year.

This bill would eliminate that minimum contribution requirement.

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) Except as otherwise provided in subdivision (b),
4 this article shall remain in effect only for taxable years beginning
5 before January 1, 2020, and as of December 1, 2020, is repealed.

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

15 ~~(2) The Franchise Tax Board shall provide written notification~~
16 ~~to the California Senior Legislature of the amount determined~~
17 ~~pursuant to paragraph (1).~~

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

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

27 (e)

28 (b) Notwithstanding the repeal of this article, any contribution
29 amounts designated pursuant to this article prior to its repeal shall
30 continue to be transferred and disbursed in accordance with this
31 article as in effect immediately prior to that repeal.

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