

AMENDED IN SENATE APRIL 23, 2001

SENATE BILL

No. 430

Introduced by Senator Vincent

February 21, 2001

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

LEGISLATIVE COUNSEL'S DIGEST

SB 430, as amended, Vincent. Income taxes: credits: spaying or neutering.

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

This bill would, for each taxable year beginning on or after January 1, 2001, and before January 1, 2006, authorize a tax credit under that law, in an amount not to exceed \$100 and in accordance with certain definitions and limitations, for expenses paid or incurred by a taxpayer for spaying or neutering a cat or dog purchased or adopted by the taxpayer.

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, 2001, and before January 1, 2006, there shall be allowed

1 as a credit against the “net tax,” as defined in Section 17039, an
2 amount equal to the costs paid or incurred by a taxpayer for
3 spaying or neutering a cat or dog purchased or adopted by the
4 taxpayer.

5 (b) For purposes of this section:

6 (1) The costs paid or incurred for spaying or neutering shall be
7 limited to the actual costs of the spaying or neutering operation.

8 (2) The amount of the credit allowed under this section may not
9 exceed one hundred dollars (\$100) per cat or dog.

10 (3) The credit shall be allowed only if the cat or dog is adopted
11 or purchased, *on or after January 1, 2001, and before January 1,*
12 *2006*, from a public animal control agency or shelter, society for
13 the prevention of cruelty to animals shelter, humane society
14 shelter, or rescue group (within the meaning of Section 30503 or
15 Section 31751.3 of the Food and Agricultural Code) located
16 within this state, or purchased from a breeder or pet store located
17 in this state. For purposes of this paragraph, a breeder is limited to
18 a person who breeds a dog that is registered with the American
19 Kennel Club or a cat that is registered with either the International
20 Cat Association, the Canadian Cat Association, or the Cat
21 Fanciers’ Association.

22 (c) If the credit allowed by this section exceeds the “net tax,”
23 the excess may be carried over to reduce the “net tax” in the
24 following year and the succeeding seven years if necessary, or until
25 the credit has been exhausted, whichever occurs first.

26 (d) The taxpayer, upon request, shall provide to the Franchise
27 Tax Board the certificate of adoption or receipt of purchase,
28 certification of spaying or neutering from a veterinarian licensed
29 to practice veterinary medicine in this state, and substantiation of
30 the costs paid or incurred for the spaying or neutering operation.

31 (e) This section shall remain in effect only until December 1,
32 2006, and as of that date is repealed.

33 SEC. 2. This act provides for a tax levy within the meaning of
34 Article IV of the Constitution and shall go into immediate effect.

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