

**ASSEMBLY BILL**

**No. 28**

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**Introduced by Assembly Member Charles Calderon**

March 9, 2009

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An act to amend Section 23040 of the Revenue and Taxation Code, relating to taxation.

LEGISLATIVE COUNSEL'S DIGEST

AB 28, as introduced, Charles Calderon. Corporation taxes.

The Corporation Tax Law provides that income derived from or attributable to sources within this state includes income from specified types of property.

This bill would make technical, nonsubstantive changes to those provisions.

The California Constitution authorizes the Governor to declare a fiscal emergency and to call the Legislature into special session for that purpose. The Governor issued a proclamation declaring a fiscal emergency, and calling a special session for this purpose, on December 19, 2008.

This bill would state that it addresses the fiscal emergency declared by the Governor by proclamation issued on December 19, 2008, pursuant to the California Constitution.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 23040 of the Revenue and Taxation Code
- 2 is amended to read:

1     23040. Income derived from or attributable to sources within  
2 this ~~State~~ *state* includes income from tangible or intangible property  
3 located or having a situs in this ~~State~~ *state* and income from any  
4 activities carried on in this ~~State~~ *state*, regardless of whether carried  
5 on in intrastate, interstate, or foreign commerce.

6     SEC. 2. This act addresses the fiscal emergency declared by  
7 the Governor by proclamation on December 19, 2008, pursuant  
8 to subdivision (f) of Section 10 of Article IV of the California  
9 Constitution.

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