

AMENDED IN ASSEMBLY JUNE 16, 2016

AMENDED IN SENATE APRIL 14, 2016

SENATE BILL

No. 1476

Introduced by Committee on Governance and Finance (Senators Hertzberg (Chair), Beall, Hernandez, Lara, Moorlach, Nguyen, and Pavley)

March 7, 2016

An act to add Section 18873 to the Revenue and Taxation Code, relating to taxation.

LEGISLATIVE COUNSEL'S DIGEST

SB 1476, as amended, Committee on Governance and Finance. ~~Income taxation:~~ *Personal income taxes:* voluntary contributions.

Existing law authorizes taxpayers to contribute amounts in excess of their personal income tax liability for the support of specified funds. Existing law also has administrative provisions applicable to voluntary contributions.

This bill would include, as generally applicable administrative provisions, that any new or extended voluntary contribution *that takes effect on or after January 2, 2017*, include the words "voluntary tax contribution" in the name of the fund, that the administering agency, as defined, include specified information about the fund on its Internet Web site, that the ~~contributed funds~~ *contributions made* be continuously appropriated *from the fund* to the administering agency, and minimum contribution amount for the continuation of any voluntary tax contribution on the tax return form, and a generally applicable ~~inoperative~~ *repeal* date for a voluntary tax contribution.

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 18873 is added to the Revenue and
2 Taxation Code, to read:

3 18873. Notwithstanding any other law, all of the following
4 requirements shall apply to any new voluntary tax contributions,
5 including an extension of *any* existing voluntary tax contribution:

6 (a) The words “voluntary tax contribution” shall be included as
7 part of the name of the fund.

8 (b) (1) The administering agency’s Internet Web site shall report
9 the process for awarding money, the amount of money spent on
10 administration, and an itemization of how program funds were
11 awarded by the agency, including, but not limited to, information
12 regarding recipients of funds.

13 (2) An “administering agency” means the state agency or other
14 governmental entity, other than *the* Franchise Tax Board and the
15 Controller, to which funds are allocated to accomplish the purposes
16 of the voluntary tax contribution designation.

17 (c) (1) Except as otherwise provided in paragraph (2) or where
18 another inoperative or repeal date is provided, the article
19 establishing the voluntary tax contribution shall remain in effect
20 only until January 1 of the seventh calendar year following the
21 first appearance of the contribution on the personal income tax
22 return, and is repealed as of December 1 of that year.

23 (2) The minimum contribution amount that must be received
24 for the fund to continue appearing on the tax return is two hundred
25 fifty thousand dollars (\$250,000) for the second calendar year after
26 the first appearance of the fund on the personal income tax return
27 and each calendar year thereafter.

28 (d) ~~Funds contributed~~ *Contributions made* pursuant to the ~~tax~~
29 ~~check-off~~ *voluntary tax contribution* shall be continuously
30 appropriated *from the fund* to the administering agency to be spent
31 as prescribed in the act in which the voluntary tax contribution is
32 enacted.

33 (e) *This section shall apply only to new voluntary tax*
34 *contributions, including an extension of any existing voluntary tax*
35 *contribution, that take effect on or after January 2, 2017.*

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