

INTRODUCED BY SENIOR ASSEMBLY MEMBERS BORENSTEIN AND WEINTRAUB**LEGISLATIVE COUNSEL'S DIGEST****AP 4: PERSONAL INCOME TAX: VOLUNTARY CONTRIBUTION: CALIFORNIA SENIOR LEGISLATURE.**

UNDER EXISTING LAW, TAXPAYERS MAY CONTRIBUTE AMOUNTS IN EXCESS OF THEIR PERSONAL INCOME TAX LIABILITY FOR THE SUPPORT OF THE CALIFORNIA FUND FOR SENIOR CITIZENS. THE CALIFORNIA SENIOR LEGISLATURE IS PRIMARILY FUNDED BY THESE CONTRIBUTIONS.

THIS MEASURE WOULD MEMORIALIZE THE LEGISLATURE AND THE GOVERNOR TO ENACT LEGISLATION THAT WOULD ALLOW FILERS OF CORPORATE TAX RETURN FORM 100 AND PARTNERSHIP RETURN FORM 565 TO CONTRIBUTE AMOUNTS IN EXCESS OF THEIR TAX LIABILITY FOR THE SUPPORT OF THE CALIFORNIA FUND FOR SENIOR CITIZENS, THAT THERE BE A THREE YEAR MORATORIUM ON REMOVING VOLUNTARY CONTRIBUTION FUNDS AND PROGRAMS FROM TAX RETURN FORMS, THAT AN OPTION BE INCLUDED ON TAX RETURN FORMS ALLOWING DONORS TO AUTHORIZE THE FRANCHISE TAX BOARD TO PROVIDE PARTICIPATING FUNDS AND PROGRAMS WITH DONOR CONTACT INFORMATION, IN ORDER TO THANK DONORS AND PROVIDE THEM WITH

INFORMATION ABOUT THE FUND OR PROGRAM, AND THAT THE “CALIFORNIA FUND FOR SENIOR CITIZENS” CONTRIBUTION LINE BE REVISED TO READ “THE CALIFORNIA SENIOR LEGISLATURE.”

VOTE: MAJORITY.

AP 4: RELATING TO FUNDING FOR THE CALIFORNIA SENIOR LEGISLATURE

WHEREAS, THE CALIFORNIA SENIOR LEGISLATURE WAS ONE OF THE FIRST ORGANIZATIONS TO BE FUNDED THROUGH VOLUNTARY CONTRIBUTIONS ON THE STATE INCOME TAX FORM (CODE 402). THIS FUND WAS ESTABLISHED IN 1983; AND

WHEREAS, THE SEVERE ECONOMIC CLIMATE OF THE LAST FIVE YEARS HAS DRAMATICALLY IMPACTED CALIFORNIA SENIOR LEGISLATURE’S VOLUNTARY CONTRIBUTION DONOR BASE. CONTRIBUTIONS HAVE FALLEN FROM 2009 TO 2013 BY ONE-THIRD; AND

WHEREAS, THE MAGNITUDE AND IMPORTANCE OF THE VOLUNTARY CONTRIBUTION PROGRAM CANNOT BE OVEREMPHASIZED SINCE MANY FUNDS AND PROGRAMS RELY ON THIS SYSTEM FOR THEIR ANNUAL OPERATING REVENUE; AND

WHEREAS, THE CALIFORNIA SENIOR LEGISLATURE'S DONOR BASE IS AGING, RESULTING IN MANY OF ITS SUPPORTERS DYING OR OTHERWISE BECOMING UNABLE TO CONTRIBUTE EACH YEAR; AND

WHEREAS, THE NAME OF THE SPONSORING ENTITY ON THE VOLUNTARY CONTRIBUTION LINE SHOULD ADEQUATELY IDENTIFY THE FUND OR PROGRAM THAT WOULD BENEFIT FROM THE DONATIONS; AND

WHEREAS, DONORS SHOULD BE FAMILIAR WITH THE ACCOMPLISHMENTS ATTRIBUTABLE TO THEIR DONATIONS AND IN SO DOING DEVELOP A CONSTRUCTIVE RELATIONSHIP WITH ORGANIZATIONS SUCH AS THE CALIFORNIA SENIOR LEGISLATURE; AND

WHEREAS, EXISTING PRIVACY LAWS PREVENT THE FRANCHISE TAX BOARD FROM RELEASING DONOR INFORMATION TO THE CALIFORNIA SENIOR LEGISLATURE AND OTHER PARTICIPATING PROGRAMS, THUS DENYING THEM THE OPPORTUNITY TO THANK THEIR DONORS; AND

WHEREAS, THE CALIFORNIA SENIOR LEGISLATURE HAS NO WAY TO INFORM DONORS THAT THEIR PROPOSALS HAVE BEEN CHAPTERED, OR TO SHARE WITH THEM THE CALIFORNIA SENIOR LEGISLATURE'S 10 CALIFORNIA PRIORITY PROPOSALS AND FOUR FEDERAL PRIORITY PROPOSALS; NOW, THEREFORE, BE IT

RESOLVED, BY THE SENIOR ASSEMBLY AND THE SENIOR SENATE, JOINTLY, THAT THE SENIOR LEGISLATURE OF THE STATE OF CALIFORNIA AT ITS 2014 REGULAR SESSION, A MAJORITY OF THE MEMBERS VOTING THEREFOR, HEREBY PROPOSES THAT THE CALIFORNIA FRANCHISE TAX BOARD EXTEND THE

VOLUNTARY CONTRIBUTION OPPORTUNITY CURRENTLY AVAILABLE ON INDIVIDUAL TAX RETURN FORM 540 TO FILERS OF CORPORATE TAX RETURN FORM 100 AND PARTNERSHIP RETURN FORM 565; AND BE IT FURTHER

RESOLVED, THAT ONCE LEGISLATION IS ENACTED, DURING THE FIRST THREE YEARS OF ITS IMPLEMENTATION, THERE SHALL BE A MORATORIUM ON ELIMINATING ANY FUND OR PROGRAM FROM THE TAX RETURN'S LISTING OF VOLUNTARY CONTRIBUTIONS; AND BE IT FURTHER

RESOLVED, THAT AN ADDITIONAL VOLUNTARY CHECK-OFF OPTION BE INCLUDED ON THE TAX RETURN FORM THAT ALLOWS THE FRANCHISE TAX BOARD TO PROVIDE THE DONOR'S CONTACT INFORMATION TO THE FUND OR PROGRAM THAT THEY HAVE SUPPORTED SO THAT THE DONOR CAN BE THANKED AND PROVIDED WITH INFORMATION REGARDING THE FUND OR PROGRAM; AND BE IT FURTHER

RESOLVED, THAT THE 402 VOLUNTARY CONTRIBUTION LINE ON THE TAX RETURN BE REVISED TO READ "THE CALIFORNIA SENIOR LEGISLATURE"; AND BE IT FURTHER

RESOLVED, THAT THE SENIOR LEGISLATURE OF THE STATE OF CALIFORNIA RESPECTFULLY MEMORIALIZES THE LEGISLATURE AND THE GOVERNOR OF THE STATE OF CALIFORNIA TO ENACT APPROPRIATE LEGISLATION THAT WOULD ADDRESS THE CONCERNS SET FORTH IN THIS MEASURE; AND BE IT FURTHER

RESOLVED, THAT A COPY OF THIS MEASURE BE TRANSMITTED TO THE
SPEAKER OF THE ASSEMBLY, THE PRESIDENT PRO TEMPORE OF THE SENATE, AND
THE GOVERNOR OF THE STATE OF CALIFORNIA.