

Do I Have to File?

Steps to Determine Filing Requirement

Step 1: Is your gross income (see footnote 1 below) more than the amount shown in the California Gross Income chart below for your filing status, age, and number of dependents? If yes, you have a filing requirement. If no, go to Step 2.

Step 2: Is your adjusted gross income (see footnote 2 below) more than the amount shown in the California Adjusted Gross Income chart below for your filing status, age, and number of dependents? If yes, you have a filing requirement. If no, you do not have a filing requirement.



Even if you do not have a filing requirement based on the chart below, you should file a return to get a refund if California state income tax was withheld from your pay, if you made California estimated tax payments or, if you had real estate withholding. Try e-file! It's fast, easy and convenient, and there are several free options. Go to www.ftb.ca.gov for the details.

On 12/31/04, my filing status was:	and on 12/31/04, my age was ⁶ :	California Gross Income ¹			California Adjusted Gross Income ²		
		Dependents			Dependents		
		0	1	2 or more	0	1	2 or more
Single or Head of household ³	Under 65	12,729	21,562	28,187	10,183	19,016	25,641
	65 or older	16,979	23,604	28,904	14,433	21,058	26,358
Married filing jointly or Married filing separately ⁴	Under 65 (both spouses)	25,457	34,290	40,915	20,365	29,198	35,823
	65 or older (one spouse)	29,707	36,332	41,632	24,615	31,240	36,540
	65 or older (both spouses)	33,957	40,582	45,882	28,865	35,490	40,790
Qualifying widow(er) ³	Under 65		21,562	28,187		19,016	25,641
	65 or older		23,604	28,904		21,058	26,358
Dependent of another person Any filing status	Any age	More than your standard deduction ⁵					

¹ **California gross income** is all income you received from all sources in the form of money, goods, property, and services that are not exempt from tax. Gross income does not include any adjustments or deductions.

² **California adjusted gross income** is your federal adjusted gross income from all sources reduced or increased by all California income adjustments.

³ See page 9.

⁴ The income of both spouses must be combined; both spouses may be required to file a return even if only one spouse had income over the amounts listed.

⁵ Use the California Standard Deduction Worksheet for Dependents on page 11 or page 17 to figure your standard deduction.

⁶ If your 65th birthday is on January 1, 2005, you are considered to be age 65 on December 31, 2004.

Requirements for Children With Investment Income

California law is the same as federal law for the income of children under age 14. For each child under age 14 who received more than \$1,600 of investment income in 2004, complete Form 540 and form FTB 3800, Tax Computation for Children Under Age 14 with Investment Income, to figure the tax on a separate Form 540 for your child.

Note: If you qualify, you may elect to report your child's income of \$8,000 or less (but not less than \$800) on your return by completing form FTB 3803, Parents' Election to Report Child's Interest and Dividends. To make this election, your child's income must be **only** from interest and/or dividends. See "Order Forms and Publications" on the back cover or go to our Website at www.ftb.ca.gov.

Other Situations When You Must File

If you owe any of the following taxes for 2004, you must file Form 540.

- Tax on a lump-sum distribution;
- Tax on a qualified retirement plan including an Individual Retirement Arrangement (IRA) or an Archer Medical Savings Account (MSA);
- Tax for children under age 14 who have investment income greater than \$1,600 (see paragraph above);
- Alternative minimum tax;
- Recapture taxes;
- Deferred tax on certain installment obligations; or
- Tax on an accumulation distribution from a trust.