

Do I Have to File?

Steps to Determine Filing Requirement (If you are a nonresident or part-year resident of California and received California-sourced income in 2005, follow the instructions below. For more details see page 11 in the 540NR Non-Resident Booklet.)

Step 1: Read down the first column to find your filing status at the end of 2005. Read across to find your age at the end of 2005, and number of dependents you are entitled to claim for 2005.

Step 2: Is your gross income (see footnote 1 below) more than the amount shown in the 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 3.

Step 3: Is your adjusted gross income (see footnote 2 below) more than the amount shown in the 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.

Note: Active duty military personnel, get FTB Pub. 1032, *Tax Information for Military Personnel*.



Even if you do not have a filing requirement based on the chart below, you should file a return in order to get a refund if California state income tax was withheld from your pay, if you made California estimated tax payments, or you have earned income and qualify for the child care credit (get FTB Form 3506). Try e-file! It's fast, easy and convenient and there are several free options. Visit our Website at www.ftb.ca.gov for details.

On 12/31/05, my filing status was:	and on 12/31/05, my age was ⁶ :	Gross Income ¹			Adjusted Gross Income ²		
		Dependents			Dependents		
		0	1	2 or more	0	1	2 or more
Single or Head of household ³	Under 65	13,085	22,152	28,952	10,468	19,535	26,335
	65 or older	17,435	24,235	29,675	14,818	21,618	27,058
Married filing jointly Married filing separately ⁴	Under 65 (both spouses)	26,170	35,237	42,037	20,935	30,002	36,802
	65 or older (one spouse)	30,520	37,320	42,760	25,285	32,085	37,525
	65 or older (both spouses)	34,870	41,670	47,110	29,635	36,435	41,875
Qualifying widow(er)	Under 65		22,152	28,952		19,535	26,335
	65 or older		24,235	29,675		21,618	27,058
Dependent of another person Any filing status	Any age	More than your standard deduction ⁵					

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

² **Adjusted gross income is computed under California law** and consists of your federal adjusted gross income from all sources, reduced or increased by all California income adjustments.

³ Get FTB Pub. 1540, *Tax Information for Head of Household Filing Status*. See "Where to Get Income Tax Forms and Publications" on page 65.

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 20 to figure your standard deduction.

⁶ If your 65th birthday is on January 1, 2006, you are considered to be age 65 on December 31, 2005.

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 2005, get and complete Long Form 540NR and form FTB 3800, Tax Computation for Children Under Age 14 with Investment Income, to figure the tax on a separate return.

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 "Where To Get Income Tax Forms and Publications" on page 65 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 2005, you must file a California tax return.

- Tax on a lump-sum distribution;
- Tax on a qualified retirement plan including an Individual Retirement Arrangement (IRA);
- 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.