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California

Forms & Instructions

100

2006

Corporation Tax Booklet

Members of the Franchise Tax Board

Steve Westly, Chair
John Chiang, Member
Michael C. Genest, Member

This booklet contains:

Form 100, California Corporation Franchise or Income Tax Return

Schedule H (100), Dividend Income Deduction

Schedule P (100), Alternative Minimum Tax and Credit Limitations — Corporations

FTB 3539, Automatic Extension for Corps and Exempt Orgs

FTB 3565, Small Business Stock Questionnaire

FTB 3805Q, Net Operating Loss (NOL) Computation and NOL and Disaster Loss Limitations — Corporations

FTB 3885, Corporation Depreciation and Amortization

STATE OF CALIFORNIA
FRANCHISE TAX BOARD

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Instructions for Form 100

California Corporation Franchise or Income Tax Return

References in these instructions are to the Internal Revenue Code (IRC) as of **January 1, 2005,** and to the California Revenue and Taxation Code (R&TC).

In general, California law conforms to the Internal Revenue Code (IRC) as of January 2005. However, there are continuing differences between California and federal law. When California conforms to federal tax law changes, we do not always adopt all of the changes made at the federal level. For more information regarding California and federal law, go to our Website at **www.ftb.ca.gov** and search for **conformity**. Additional information can be found in FTB Pub. 1001, Supplemental Guidelines to California Adjustments, the instructions for California Schedule CA (540 or 540NR), and the Business Entity tax booklets.

Note, the instructions provided with California tax forms are a summary of California tax law and are only intended to aid taxpayers in preparing their state income tax returns. We include information that is most useful to the greatest number of taxpayers in the limited space available. It is not possible to include all requirements of the California Revenue and Taxation Code (R&TC) in the tax booklets. Taxpayers should not consider the tax booklets as authoritative law.

What's New/Tax Law Changes

Conformity – For updates regarding the following federal acts, go to our Website at **www.ftb.ca.gov** and search for **conformity.**

- Tax Increase Prevention and Reconciliation Act of 2005
- Federal Energy Policy Act of 2005
- Pension Protection Act of 2006

Foreign Corporations – For taxable years beginning on or after January 1, 2006, a foreign corporation is not considered to be transacting intrastate business merely because of its status as a shareholder, limited partner, member or manager of a domestic corporation, limited partnership, limited liability company, a foreign corporation, limited partnership, or limited liability company transacting intrastate business. In addition, the supermajority vote requirement is ineffective 2 years after the specified filing of the amendment to the Articles of Incorporation or a Certificate of Determination to adopt or readopt the supermajority vote.

Water's-Edge Election – For taxable years beginning on or after January 1, 2006, a controlled foreign corporation (CFC) that has U.S. source income cannot exclude its Subpart F income from a water's-edge return. Corporations are now required to include in a water's-edge combined report both U.S. source income and Subpart F of a CFC regardless of whether the corporation is a California taxpayer.

Nonresident Group Returns – For taxable years beginning on or after January 1, 2006, a corporation may file a group nonresident return on behalf of certain nonresident individuals who receive wages, salaries, fees, or other compensation from that corporation for director services performed in California, including attendance of board of directors' meetings in California.

New Form FTB 3725 – Assets Transferred from Parent Corporation to Insurance Company. This new form will track the assets transferred from a parent corporation to an insurance company subsidiary. Get form FTB 3725 for more information.

Withholding on California Real Estate – For transactions occurring on or after January 1, 2007 that require withholding, a seller of California real estate may elect an alternative to withholding 3 1/3 percent of the total sales price. The seller may elect an alternative withholding amount based on the maximum tax rate for individuals, corporations, or banks and financial corporations, as applied to the gain on the sale. The seller is required to certify under penalty of perjury the alternative withholding amount to the Franchise Tax Board. For real estate installment sales, if a buyer receives seller's certification as to an alternative withholding election, the buyer would be required to withhold either the full alternative withholding amount at the time of sale or an alternative withholding percentage on the amount of each installment payment.

Corporation Dissolution/Tax Clearance Certificate Process – For taxable years beginning on or after January 1, 2006, corporations will not be required to obtain a Tax Clearance Certificate prior to the dissolution of the corporation. For more information, see General Information O, Dissolution/Withdrawal.

Employer Child Care Program Credit and the Employer Child Care Contribution Credit – The Employer Child Care Program Credit and the Employer Child Care Contribution Credit has been extended to taxable years beginning before January 1, 2012.

The California Community Development Financial Institution Tax Credit (CDFI) – The CDFI Credit has been extended to taxable years beginning before January 1, 2012.

Last-In, First-Out (LIFO) Recapture – For taxable years beginning on or after January 1, 2006, California conformed to federal tax law in excluding the annual payments of the LIFO recapture tax from the computation of estimated tax. Therefore, LIFO recapture amounts are not included in the computation of an estimated tax underpayment penalty.

Important Information

- The Franchise Tax Board (FTB) offers e-filing for corporations filing Form 100, California Corporation Franchise or Income Tax Return, and certain accompanying forms and schedules. Check with the software provider to see if the corporation can e-file.
- For taxable years beginning on or after January 1, 2004, the Internal Revenue Service (IRS) requires any corporation with total assets of $10 million or more on the last day of the taxable year to complete Schedule M-3 (Form 1120), Net Income (Loss) Reconciliation for Corporations With Total Assets of $10 Million or More, instead of Schedule M-1, Reconciliation of Income (Loss) per Books With Income per Return. For California purposes, the corporation must still complete the California Schedule M-1, and:
  - Attach a copy of the Schedule M-3 (Form 1120) and related attachments to the California Franchise or Income Tax Return; or
  - Attach a complete copy of the federal return; or
  - FTB will accept the Schedule M-3 (Form 1120) in a spreadsheet format if more convenient.
- If the corporation made purchases from out-of-state or Internet sellers and owes California use tax, the corporation may report and pay the tax on the California Franchise or Income Tax Return. See General Information Z, California Use Tax, for more information.
- If the corporation was involved in a reportable transaction, including a listed transaction, the corporation may have a disclosure requirement. Attach the federal Form 8886 to the back of the California return along with any other supporting schedules. If this is the first time the reportable transaction is disclosed on the return, send a duplicate copy of the federal Form 8886 to the address below. The FTB may impose penalties if the corporation fails to file federal Form 8886, or any other required information.

  TAX SHELTER FILING MS F385
  FRANCHISE TAX BOARD
  PO BOX 1673
  SACRAMENTO CA 95812-1673

  Corporations must still file federal Form 8271, Investor Reporting of Tax Shelter Registration Number, with their California tax return that claims or reports any income or deduction, loss, credit, or other tax benefit from a registration-required tax shelter. For more information, see federal Form 8271 Instructions, IRS Notice 2004-80 (2004-50 I.R.B. 963), or go to our Website at **www.ftb.ca.gov** and search for **tax shelters**.
- For information related to the Katrina Tax Relief Act, go to our Website at **www.ftb.ca.gov** and search for **disaster**.

- For taxable years beginning on or after July 1, 2005, California allows an environmental tax credit in an amount equal to five cents ($.05) for each gallon of ultra low sulfur diesel fuel produced during the taxable year by a small refiner at any facility located in California. The aggregate credit cannot exceed 25% of the qualified capital costs incurred by the small refiner with respect to that facility, reduced by the aggregate credits determined for all prior taxable years with respect to that facility. See form FTB 3511, Environmental Tax Credit, for more information.
- R&TC Section 24410 was repealed and re-enacted to allow a "Dividends Received Deduction" of qualified dividends received from an insurer subsidiary. The deduction is allowed whether or not the insurer is engaged in business in California, if at the time of each payment at least 80% of each class of stock of the insurer was owned by the corporation receiving the dividend. For taxable years beginning on or after January 1, 2004, and before January 1, 2008, an 80% deduction is allowed for qualified dividends. For taxable years beginning on or after January 1, 2008, the deduction is increased to 85%. A portion of the dividends may not qualify if the insurer subsidiary paying the dividend is overcapitalized for the purpose of the dividends received deduction. See Schedule H (100) instructions for additional information.
- In *Farmer Bros. Co. vs. Franchise Tax Board* (2003) 108 Cal App 4th 976, 134 Cal Rptr. 2d 390, the California Court of Appeal found that the R&TC Section 24402 deductible dividend provision discriminated against interstate commerce in violation of the Commerce Clause of the United States Constitution. R&TC Section 24402 provided for a deduction to the extent that the dividend payer was taxable in California. A statute that is held to be unconstitutional is invalid and unenforceable. Therefore, the deduction is not available.
- For taxable years beginning on or after January 1, 2003, the provisions for making a water's-edge election have been substantially changed. The new procedures replace the contract with a statutory election that continues in effect for a minimum of seven years; see R&TC Section 25113 for more information.

  To make a water's-edge election under the new rules, the corporation must:
  - Compute the corporation's income on a water's-edge basis,
  - Use Form 100W, California Corporation Franchise or Income Tax Return — Water's-Edge Filers, and
  - Make the election on a timely filed original return for the year of the election.

  Corporations that have a valid election for taxable years beginning before January 1, 2003, will continue to file on a water's-edge basis and will be deemed to have elected under the new rules (R&TC Section 25113) for taxable years beginning on or after January 1, 2003. However, the election start date under the new rules (R&TC Section 25113), will continue to be the start date as originally elected under the old rules (R&TC Section 25111). For more information, get 2003 Form 100W Booklet that contains California Water's-Edge Forms and Instructions.
- For taxable years beginning on or after January 1, 2003, corporate shareholders of a Regulated Investment Company (RIC) are explicitly denied a dividend deduction for earnings from the RIC that are not from stock dividends.
- R&TC Sections 17024.5 and 23051.5 have been amended to clarify that, unless otherwise expressly allowed, federal elections made before a taxpayer becomes a California taxpayer are binding for California tax purposes.
- For taxable years beginning on or after January 1, 2002, California no longer allows a federal S corporation to elect to be a California C corporation. Therefore, for the taxable year beginning in 2002, and thereafter, any corporation with a valid federal S corporation election is considered an S corporation for California purposes. The effective date of the election is the first day of the corporation's taxable year beginning in 2002.

  Corporations that elect to be an S corporation for federal purposes on or after January 1, 2002, and have a California filing requirement are deemed to make the California S election on the same date as the federal election.

  Built-in Gains Tax – For taxable years beginning on or after January 1, 2002, when determining the built-in gains tax, C corporations that were required to convert to S corporations for California purposes are deemed to have elected S corporation status on the effective date of their federal election regardless of the effective date for California purposes.
- R&TC Section 18662 requires buyers to withhold income taxes when purchasing California real property from corporate sellers with no permanent place of business in California immediately after the transfer. For more information, get FTB Pub. 1016.

  Sellers of California real estate must attach copy B of Form 593-B, Real Estate Withholding Tax Statement, to their tax return as proof of withholding.

  If the corporation needs to verify withholding payments, the corporation may call the Withholding Services and Compliance Section at (916) 845-4900 or toll-free **(888)** 792-4900.

California law conforms to federal law for:

- For taxable years beginning on or after January 1, 2005, corporations may **elect** to expense, under IRC Section 179, part or all of the cost of certain properties placed in service during the taxable year and used in the trade or business. For more information, see form FTB 3885, Corporation Depreciation and Amortization, inside this booklet.
- Large banks' bad-debt losses deduction, which are limited to the actual losses rather than contributions to a reserve for bad debts.
- Alternative minimum tax (AMT) treatment of contributions of appreciated property.
- Disallowing the deduction for club membership fees and employee remuneration in excess of $1 million.
- Disallowing of the deduction for lobbying expenses.
- Shrinkage Estimates for Inventory Accounting. For purposes of inventory accounting, an adjustment for shrinkage, based on an estimate, may be made. Taxpayers can voluntarily change their method of accounting if the method currently being used does not utilize estimates of inventory shrinkage and the taxpayer now wishes to use that method.
- Timeshare associations may qualify for tax-exempt status like other homeowners' associations.
- Required recognition of gain on certain appreciated financial positions in personal property.
- Election of mark-to-market for securities and commodities traders. Allows securities traders and commodities traders and dealers to elect to use mark-to-market accounting similar to what is currently required for securities dealers. Commodities would include only commodities of a kind that are dealt with in the organized commodities exchange. An election to use the mark-to-market method for federal purposes is considered an election for state purposes and a separate election is not allowed.
- Limitation on exception for investment companies under IRC Section 351.
- Expansion of deduction for certain interest and premiums paid for company-owned life insurance.
- Modification of holding period applicable to dividends received deduction.
- Repeal of special installment sales rule for manufacturers of tangible personal property.
- Required registration for abusive tax shelters.
- Payment of estimated tax for closely held real estate investment trusts (REITs) and income and services provided by REIT subsidiaries.

California law does not conform to federal law for:

- California does not allow an exclusion from gross income of certain federal subsidies for prescription drug plans under IRC Section 139A.
- Expensing of Environmental Remediation Costs. Certain environmental remediation

expenditures that would otherwise be chargeable to capital accounts may be expensed and taken as a deduction in the year the expense was paid or incurred.

- Deduction for corporate donation of scientific property and computer technology.
- The additional 30% or 50% first-year depreciation allowance for qualified property.
- The first-year depreciation deduction allowed for luxury autos or certain passenger automobiles.
- Temporary suspension of income limitations on percentage depletion for production from marginal wells. The percentage depletion deduction, which may not exceed 65% of the taxpayer's taxable income, is restricted to 100% of the net income derived from the oil or gas well property.
- Decreased capital gains tax rate.
- Exemption from AMT for small corporations.
- Accelerated depreciation for property on Indian Reservations.
- The treatment of Subpart F and IRC Section 936 income.
- The IRC passive activity loss rules for real estate activities.

Note: The above lists are not intended to be all-inclusive of the federal and state conformities and differences. For more information, please refer to the California Revenue and Taxation Code.

California Taxpayers that are 25% Foreign-Owned U.S. Corporations and Foreign Corporations
Corporations that are required to file federal Form(s) 5472, Information Return of a 25% Foreign-Owned U.S. Corporation or a Foreign Corporation Engaged in a U.S. Trade or Business, with the federal return must attach a copy(ies) to the California return. The penalty for failing to include Form(s) 5472 as required is $10,000 per form. See General Information M, Penalties, for more information.

Information Return for U.S. Taxpayers Who Have Ownership (Directly or Indirectly) in a Foreign Corporation
For taxable years beginning on or after January 1, 1997, U. S. taxpayers who have an ownership interest (directly or indirectly) in a foreign corporation and are required to file federal Form(s) 5471, Information Return of U.S. Persons With Respect to Certain Foreign Corporations, with the federal return, must attach a copy(ies) to the California return. The penalty for failing to include a copy of federal Form(s) 5471 as required is $1,000 per form. See General Information M, Penalties, for more information.

Records Maintenance Requirements
Any taxpayer subject to the apportionment and allocation provisions of the Corporation Tax Law is required to keep and maintain records and make the following available upon request:

- Any records needed to determine the correct treatment of items reported on the combined report for purposes of determining the income attributable to California;
- Any records needed to determine the treatment of items as nonbusiness or business income; and
- Any records needed to determine the apportionment factors.

See R&TC Section 19141.6 and the related regulations, for more information. A corporation may be required to authorize an agent, through a Power of Attorney, to act on its behalf in response to requests for information or records pursuant to R&TC Section 19504.

Note: For information about the Power of Attorney, go to our Website at **www.ftb.ca.gov**.

The penalty for not maintaining the above required records is $10,000 for each taxable year for which the failure applies. In addition, if the failure continues for more than 90 days after the FTB notifies the corporation of the failure, a penalty of $10,000 may be assessed for each additional 30-day period of continued failure. For taxable years beginning on or after January 1, 1996, there is no maximum amount of penalty that may be assessed. See General Information M, Penalties, for more information.

Small Business Stock Questionnaire
An information questionnaire, form FTB 3565, Small Business Stock Questionnaire, is included in this booklet. The purpose of this questionnaire is to provide information regarding an issuance of stock pursuant to R&TC Section 18152.5. For taxable years beginning on or after January 1, 1996, corporations that issue stock intended to be qualified small business stock are required to attach form FTB 3565 to Form 100. See the instructions for form FTB 3565.

Publicly Traded Partnerships
California publicly traded partnerships that are not eligible to make the special federal election under IRC Section 7704(g)(2), and that do not qualify for the exception for partnerships with passive-type income under IRC Section 7704(c), must file Form 100 for taxable years beginning on or after January 1, 1998. A federal election under IRC Section 7704(g)(2) is considered an election for state purposes. A separate election is not allowed.

Financial Asset Securitization Investment Trusts (FASITs)
The provisions of the IRC relating to FASITs apply for California with certain modifications. The FASIT is subject to the $800 minimum tax. A separate Form 100 should be filed to report the $800 minimum tax. Write "FASIT" in red in the top margin of the return. If a corporation holds an ownership interest in a FASIT, it should report all the items of income, gain, deductions, losses, and credits on the corporation's return and attach a schedule showing the breakdown of items from the FASIT.

Classification of Certain Business Trusts and Certain Foreign Single Member Limited Liability Companies (LLCs)
Normally, the classification of a business entity should be the same for California purposes as it is for federal purposes. However, an exception may apply for certain eligible business entities (business trusts and single member LLCs) existing prior to January 1, 1997, that were taxed as corporations for California purposes under former R&TC Section 23038. For taxable years beginning on or after January 1, 1997, a business trust or a previously existing foreign single member LLC may make an irrevocable election to be classified the same as federal for California purposes. To make the election the business trust or the single member LLC must have been classified as a corporation under California law, but classified as a partnership (for a business trust) or elected to be treated as a disregarded entity (for foreign single member LLC) for federal tax purposes for taxable years beginning before January 1, 1997. If this election is not made, the existing eligible business entity will continue to be classified and taxed as a corporation for California purposes. Get form FTB 3574, Special Election for Business Trusts and Certain Foreign Single Member LLCs, for more information.

General Information

Form 100 is California's tax return for corporations, banks, financial corporations, real estate mortgage investment conduits (REMICs), regulated investment companies (RICs), real estate investment trusts (REITs), Massachusetts or business trusts, publicly traded partnerships (PTPs), exempt homeowners' associations (HOAs), political action committees (PACs), FASITs and LLCs, or partnerships taxed as corporations.

For taxable years beginning on or after January 1, 2000, corporations filing on a water's-edge basis are required to use Form 100W to file their California tax return. Get the Form 100W, Corporation Tax Booklet — Water's-Edge Filers, for more information. REMICs that are partnerships must file Form 565, Partnership Return of Income. S corporations must file Form 100S, California S Corporation Franchise or Income Tax Return.

An LLC classified as a partnership for federal purposes should generally file Form 568, Limited Liability Company Return of Income. A limited partnership (LP) or limited liability partnership (LLP) classified as a partnership for federal purposes should generally file Form 565, Partnership Return of Income.

A Franchise or Income Tax

Corporation franchise tax
Entities subject to the corporation minimum franchise tax include all corporations (e.g. LLCs electing to be taxed as corporations) that are:

- Incorporated or organized in California;
- Qualified or registered to do business in California; or
- Doing business in California, whether or not incorporated, organized, qualified, or registered under California law.

The measured franchise tax is imposed on corporations doing business in California and is measured by the income of the current taxable year for the privilege of doing business in that taxable year.

The term "doing business" means actively engaging in any transaction for the purpose of financial gain or profit.

The minimum franchise tax must be paid by corporations incorporated in California or qualified or registered under California law whether the corporation is active, inactive, not doing business, or operates at a loss.

Note: In the case of a corporation qualified with the California Secretary of State (SOS) but not doing business in this state, careful attention should be given to the term "doing business." It is not necessary that the corporation conducts business or engages in transactions within the state on a regular basis. Even an isolated transaction during the year may be enough to cause the corporation to be "doing business."

Also, when a corporation is either a general partner of a partnership or a member of an LLC that is "doing business" in California, the corporation is considered to be "doing business" in California.

Corporation income tax
The corporation income tax is imposed on all corporations that derive income from sources within California but are not doing business in California.

For purposes of the corporation income tax, the term "corporation" generally includes:

- Associations;
- Massachusetts or business trusts;
- REITs;
- LLCs electing to be taxed as corporations other than those subject to the corporate franchise tax; and
- Other business entities, including partnerships, electing to be taxed as corporations.

Get FTB Pub. 1063, California Corporation Tax Law — A Guide for Corporations, for more information.

Political organizations that are exempt under R&TC Section 23701r and have political taxable income in excess of $100 must file Form 100. Political organization taxable income is the amount by which gross income (other than exempt function income) less deductions directly connected with production of such gross income exceeds $100. See the instructions for Schedule F, Computation of Net Income, included in this booklet. Exempt function income includes amounts received as:

- Contributions of money or property;
- Membership fees, dues, or assessments; or
- Proceeds from the sale of political campaign material that are not received in the ordinary course of any trade or business.

Get FTB Pub. 1075, Exempt Organizations — Guide for Political Organizations, for more information.

Homeowners' associations that are exempt under R&TC Section 23701t and have homeowners' association taxable income must file Form 100. Homeowners' association taxable income is the amount by which gross income (other than exempt function income) less deductions directly connected with the production of such gross income exceeds $100. See the instructions for Schedule F, Computation of Net Income, included in this booklet.

Exempt function income means amounts received as membership fees, dues, and assessments. Nonexempt gross income of a homeowners' association is defined as all income other than amounts received from membership fees, dues, or assessments.

Note: An exempt homeowners' association may also be required to file Form 199, California Exempt Organization Annual Information Return. Get FTB Pub. 1028, Guidelines for Homeowners' Associations, for more information.

B Tax Rates

The tax rates below apply to corporations subject to either the corporation franchise tax or the corporation income tax.

- Corporations other than banks and financial corporations 8.84%
- Banks and financial corporations. . 10.84%

C Minimum Franchise Tax

All corporations subject to the franchise tax, including banks, financial corporations, corporate general partners of partnerships, and corporate members of LLCs doing business in California, must file Form 100 and pay at least the minimum franchise tax as required by law. The minimum franchise tax, as indicated below, must be paid whether the corporation is active, inactive, operates at a loss, or files a return for a short period of less than 12 months.

- Domestic qualified inactive gold or quicksilver mining corporations $25
- All other corporations subject to franchise tax (see General Information A, Franchise or Income Tax, for definitions). $800

A combined group filing a single return must pay at least the minimum franchise tax for each corporation in the group that is subject to franchise tax.

Note: The prepayment of the minimum franchise tax to the California SOS is no longer required for corporations that incorporate or qualify through the California SOS to do business in California on or after January 1, 2000. For the first taxable year the corporation will compute its tax liability by multiplying its state net income by the appropriate tax rate and will not be subject to the minimum franchise tax. The corporation will become subject to minimum franchise tax beginning in its second taxable year. This does not apply to corporations that are not qualified by the California SOS, or reorganize solely to avoid payment of their minimum franchise tax.

There is no minimum franchise tax for:

- Corporations that are not incorporated in California, not qualified under the laws of California, or are not doing business in California even through they derive income from California sources. For more information regarding doing business, get FTB Pub. 1050, Application and Interpretation of Public Law 86-272; FTB Pub. 1060, Guide for Corporations Starting Business in California; or FTB Pub. 1063, California Corporation Tax Law – A Guide for Corporations;
- Qualified non-profit farm cooperative associations;
- Credit unions;
- Exempt homeowners' associations;
- Exempt political organizations;
- Exempt organizations;
- Corporations that are not incorporated under the laws of California; whose sole activities in this state are engaging in convention and trade show activities for seven or fewer days during the taxable year; and that do not derive more than $10,000 of gross income reportable to California during the taxable year. These corporations are not "doing business" in California. For more information, get FTB Pub. 1060, Guide for Corporations Starting Business in California; or FTB Pub. 1063, California Corporation Tax Law – A Guide for Corporations; and
- Newly formed or qualified corporations filing an initial return for a taxable year beginning on or after January 1, 2000.

D Accounting Period/Method

The taxable year of a corporation must not be different from the taxable year used for federal purposes, unless initiated or approved by the FTB (R&TC Section 24632).

A change in accounting method requires consent from the FTB. However, a corporation that obtains federal approval to change its accounting method, or that is permitted or required by federal law to change its accounting method without prior approval and does so, is deemed to have the FTB's approval if: (1) the corporation files a timely Form 100 consistent with the change for the first year the change becomes effective for federal purposes; and (2) the change is consistent with California law. A copy of federal Form 3115, Application for Change in Accounting Method, and a copy of the federal consent to the change must be attached to Form 100 for the first year the change becomes effective. Get FTB Notice 2000-8 for more information. The FTB may modify a requested change if the change would distort income for California purposes.

Note: California is not following the automatic consent procedure for a change of accounting method involving previously unclaimed allowable depreciation or amortization of Federal Revenue Procedure 96-31. Get FTB Notice 96-3 for more information.

E When to File

File Form 100 on or before the 15th day of the 3rd month after the close of the taxable year unless the return is for a short-period as required under R&TC Section 24634. Generally, the due date of a short-period return is the same as the due date of the federal short-period return. See R&TC Section 18601(c) for the due date of a short period return. Farmers' cooperative associations must file Form 100 by the 15th day of the 9th month after the close of the taxable year. See General Information O, Dissolution/Withdrawal, and P, Ceasing Business, for information on final returns.

A corporation that converts to another type of entity, such as a limited liability company or limited partnership, must file two California returns. The converted entity is required to file a short-period return for the taxable year ending on the date of cancellation. The new entity would then be subject to all of the filing requirements and tax due before the effective date of converting.

F Extension of Time to File

If the corporation cannot file its California tax return by the 15th day of the 3rd month after the close of the taxable year, it may file on or before the 15th day of the 10th month without filing a written request for an extension unless the corporation is suspended on the original due date. This does not extend the time for payment of tax; the full amount of tax must be paid by the original due date of Form 100. If there is an unpaid tax liability, complete form FTB 3539, Automatic Extension for Corps and Exempt Orgs, included in this booklet, and send it with the payment by the original due date of the Form 100.

Note: If the corporation must pay its tax liability using electronic funds transfer (EFT), **all** payments **must** be remitted by EFT to avoid the EFT penalty. Do not send form FTB 3539.

G Electronic Funds Transfer (EFT)

Corporations that meet certain requirements must remit all of their payments through EFT rather than by paper checks to avoid the 10% non-compliance EFT penalty. Corporations that remit an estimated tax payment or extension payment in excess of $20,000 or that have a total tax liability in excess of $80,000 must remit all of their payments through EFT. The FTB notifies corporations that are subject to this requirement. Those that do not meet these requirements and wish to participate on a voluntary basis may do so. If you are an EFT taxpayer, complete the form FTB 3539 worksheet for your records. DO NOT SEND THE PAYMENT VOUCHER. For more information, go to our Website at **www.ftb.ca.gov**, call (916) 845-4025, or get FTB Pub. 3817, Electronic Funds Transfer Program Information Guide.

H Where to File

If tax is due, and the corporation is not required to use EFT, make the check or money order payable to the Franchise Tax Board. Write the California corporation number and "2006 Form 100" on the check or money order. Mail the return and payment to:

FRANCHISE TAX BOARD
PO BOX 942857
SACRAMENTO CA 94257-0501

If the corporation e-files its return, mail the form FTB 3586, Voucher for Corp e-filed Returns, and payment to:

FRANCHISE TAX BOARD
PO BOX 942857
SACRAMENTO CA 94257-0531

Note: Make all checks or money orders payable in U.S. dollars and drawn against a U.S. financial institution.

Mail all other returns, including those with payment by EFT, to:

FRANCHISE TAX BOARD
PO BOX 942857
SACRAMENTO CA 94257-0500

Private Delivery Services
California law conforms to federal law regarding the use of certain designated private delivery services to meet the "timely mailing as timely filing/paying" rule for tax returns and payments. See federal Form 1120, U.S. Corporation Income Tax Return, for a list of designated delivery services. If a private delivery service is used, address the return to:

FRANCHISE TAX BOARD
SACRAMENTO CA 95827

Caution: Private delivery services cannot deliver items to PO boxes. If using one of these services to mail any item to the FTB, **DO NOT** use an FTB PO box.

Private Mail Box (PMB) Number
Include the Private Mail Box (PMB) in the address field. Write the acronym "PMB" first, then the box number.
Example: 111 Main Street PMB 123.

I Net Income Computation

The computation of net income from trade or business activities generally follows the determination of taxable income as provided in the IRC. However, there are differences that must be taken into account when completing Form 100. There are two ways to complete Form 100, the federal reconciliation method or the California computation method:

1. **Federal reconciliation method**
   a. Transfer the information from federal Form 1120 or Form 1120A, Page 1, U.S. Corporation Income Tax Return, to Form 100, Side 3, Schedule F and attach a copy of the federal return with all supporting schedules.
   b. Enter the amount of federal ordinary income (loss) from trade or business activities before any NOL and special deductions on Form 100, Side 1, line 1; and
   c. Enter state adjustments on line 2 through line 17 to arrive at net income after state adjustments, Side 1, line 18.
2. **Schedule F – California computation method**

   If the corporation has no federal filing requirement or if the corporation maintains separate records for state purposes, complete Form 100, Schedule F, to determine state ordinary income. If ordinary income is computed under California laws, generally no state adjustments are necessary. Transfer the amount from Schedule F, line 30, to Form 100, Side 1, line 1. Complete Form 100, Side 1, line 2 through line 17, only if applicable.

   For more information, see the specific line instructions.

Note: Regardless of the net income computation method used, the corporation must attach any form, schedule, or supporting document referred to on the return, schedules, or forms filed with the FTB.

J Alternative Minimum Tax (AMT)

Corporations that claim certain types of deductions, exclusions, and credits may be subject to California AMT. Generally, corporations that complete federal Form 4626, Alternative Minimum Tax — Corporations, must also complete California Schedule P (100), Alternative Minimum Tax and Credit Limitations — Corporations. See Schedule P (100), included in this booklet, for more information.

K Estimated Tax

Every corporation must pay estimated tax using Form 100-ES, Corporation Estimated Tax. Estimated tax is generally due and payable in four installments:

- The 1st payment is due by the 15th day of the 4th month of the taxable year (note that this payment may not be less than the minimum franchise tax, if applicable); and
- The 2nd, 3rd, and 4th installments are due and payable by the 15th day of the 6th, 9th, and 12th months respectively, of the taxable year.

Caution: If no amount is due, **DO NOT** mail Form 100-ES.

California law has conformed to the federal expanded annualization periods for the computation of estimate payments. For taxable years beginning on or after January 1, 1998, the applicable percentage for estimate basis is 100%.

Get the instructions for Form 100-ES for more information.

For taxable years beginning on or after January 1, 2006, California conformed to the federal tax law in excluding the annual payments of the LIFO recapture tax from the computation of "estimated tax."

Note: If the corporation must pay its tax liability using EFT, **ALL** estimate payments due **must** be remitted by EFT to avoid the EFT penalty.

L Commencing Corporations

For taxable years beginning on or after January 1, 2000, the corporation is required to pay measured tax instead of minimum tax for the first taxable year if the corporation incorporated or registered through the California SOS. For more information, see General Information C, Minimum Franchise Tax, or get FTB Pub. 1060, Guide for Corporations Starting Business in California.

M Penalties

Failure to file a timely return
Any corporation that fails to file Form 100 on or before the extended due date is assessed a delinquent filing penalty. The delinquent filing penalty is computed at 5% of the tax due, after allowing for timely payments, for every month that the return is late, up to a maximum of 25%. If a corporation does not file its return by the extended due date, the automatic extension will not apply and the late filing penalty will be assessed from the original due date of the return. See R&TC Sections 19131 and 23772 for more information.

Failure to pay total tax by the due date
Any corporation that fails to pay the total tax shown on Form 100 by the original due date is assessed a penalty. The penalty is 5% of the unpaid tax, plus 0.5% for each month, or part of the month (not to exceed 40 months), the tax remains unpaid. This penalty may not exceed 25% of the unpaid tax. See R&TC Section 19132 for more information.

Note: (1) The late payment penalty may be waived where 90% of the tax shown on the return, but not less than minimum franchise tax if applicable, is paid by the original due date of the return. (2) If a corporation is subject to both the penalty for failure to file a timely return and the penalty for failure to pay the total tax by the due date, a combination of the two penalties may be assessed, but the total penalty may not exceed 25% of the unpaid tax.

Underpayment of estimated tax
Any corporation that fails to pay, pays late, or underpays an installment of estimated tax is assessed a penalty. The penalty is a percentage of the underpayment for the underpayment period. Get form FTB 5806, Underpayment of Estimated Tax by Corporations, to determine both the amount of underpayment and the amount of penalty.

The underpayment of estimated tax penalty shall not apply to the extent the underpayment of an installment was created or increased by any provision of law that is chaptered during and operative for the taxable year of the underpayment. See R&TC Sections 19142, 19144, 19145, 19147, 19148, 19149, 19150, 19151, and 19161 for more information.

Note: If the corporation uses Exception B or Exception C to compute or eliminate any of the four installments, form FTB 5806 must be attached to **the front of** Form 100 and the box on Side 2, line 42b should be checked.

EFT Penalty
If the corporation must pay its tax liability using EFT, **ALL** payments must be remitted by EFT to avoid the EFT penalty. The EFT penalty is 10% of the amount not paid by EFT. See R&TC Section 19011 and General Information G, Electronic Funds Transfer (EFT), for more information.

Information reporting penalties
For taxable years beginning on or after January 1, 1997, U.S. corporations that have an ownership interest (directly or indirectly) in a foreign corporation and were required to file federal Form(s) 5471, Information Return of U.S. Persons With Respect to Certain Foreign Corporations, with the federal return, must attach a copy(ies) to the California return. The penalty for failure to include a copy of federal Form(s) 5471, as required, is $1,000 per required form for each year the failure occurs. The penalty applies for taxable years beginning on or after January 1, 1998. The penalty will not be assessed if the taxpayer provides a copy of the form(s) within 90 days of request from the FTB and the taxpayer agrees to attach a copy(ies) of federal Form 5471 to all returns filed for subsequent years.

Certain domestic corporations that are 25% or more foreign-owned and foreign corporations engaged in a U.S. trade or business must attach federal Form(s) 5472, Information Return of a 25% Foreign-Owned U.S. Corporation or a Foreign Corporation Engaged in a U.S. Trade or Business, to Form 100. The penalty for failing to include Form(s) 5472, as required, is $10,000 per required form for each year the failure occurs. See R&TC Section 19141.5 for more information.

If the corporation does not file its Form 100 by the due date or extended due date, whichever is later, copy(ies) of federal Form(s) 5472 must still be filed on time or the penalty will be imposed. Attach a cover letter to the copy(ies) indicating the taxpayer's name, California corporation number, and taxable year. Mail to the same address used for returns without payments. See General Information H, Where to File. When the corporation files Form 100, also attach copy(ies) of the federal Form(s) 5472.

Record maintenance penalty
The penalty for failure to maintain certain records is $10,000 for each taxable year for which the failure applies. In addition, if the failure continues for more than 90 days after the FTB notifies the corporation of the failure, in general, a penalty of $10,000 may be assessed for each additional 30-day period of continued failure. For taxable years beginning on or after January 1, 1996, there is no maximum amount of penalty that may be assessed.

See Important Information starting on page 3 for a discussion of the records required to be maintained. See R&TC Section 19141.6 and the related regulations for more information.

Accuracy and fraud related penalties
California conforms to IRC Sections 6662 through 6665 that authorize the imposition of an accuracy-related penalty equal to 20% of the related underpayment, and the imposition of a fraud penalty equal to 75% of the related underpayment. See R&TC Section 19164 for more information.

California Secretary of State (SOS) penalty
The California Corporations Code requires the FTB to assess a penalty for failure to file an annual Statement of Information with the California SOS. For more information, see R&TC Section 19141, or contact:

STATEMENT OF INFORMATION UNIT
ATTENTION: PENALTY
CALIFORNIA SECRETARY OF STATE
PO BOX 944230
SACRAMENTO CA 94244-2300
Telephone: (916) 657-3537

Other penalties
Other penalties may be imposed for a check returned for insufficient funds, non-U.S. foreign corporations operating while forfeited or without qualifying to do business in California, and domestic corporations operating while suspended in California. See R&TC Sections 19134 and 19135 for more information.

N Interest

Interest is due and payable on any tax due if not paid by the original due date of Form 100. Interest is also due on some penalties. The automatic extension of time to file Form 100 does not stop interest from accruing. California follows federal rules for the calculation of interest. Get FTB Pub. 1138, Business Entity Refund/Billing Information, for more information.

O Dissolution/Withdrawal

The corporation must fill in the applicable box on Form 100, Side 1, question A, if dissolving, merging, or withdrawing. The date should be the date the corporation filed with California SOS.

The franchise tax for the period in which the corporation formally dissolves or withdraws is measured by the income of the year in which it ceased doing business in California, unless such income has already been taxed at the rate prescribed for the taxable year of dissolution or withdrawal.

A corporation that commenced doing business in California before January 1, 1972, is allowed a credit that may be refunded in the year of dissolution or withdrawal. The amount of the refundable credit is the difference between the

minimum franchise tax for the corporation's first full 12 months of doing business and the total tax paid for the same period.

To claim this credit, add this amount to the value on line 35. Make a notation to the right of Side 1, line 35: "Dissolving/Withdrawing."

For taxable years beginning on or after January 1, 2006, the Minimum Franchise Tax will not be assessed if a corporation meets the following requirements:

- The corporation files a timely **Final** Franchise Tax return for the preceding taxable year, including extension,
- The corporation did not do business in California after the final taxable year, and
- The corporation files the appropriate documents for dissolution with the California SOS within 12 months of the timely filed Final Franchise Tax return.

The return for the final taxable period is due on or before the 15th day of the 3rd full month after the month during which the corporation formally dissolved or withdrew.

To get samples and/or forms for filing a dissolution, surrender, or merger agreement go to the California SOS Website at **www.ss.ca.gov** and search for **corporation dissolution,** or address your request to:

LEGAL REVIEW
CALIFORNIA SECRETARY OF STATE
1500 11TH ST 3RD FLOOR
SACRAMENTO CA 95814-5701
Telephone: (916) 657-5448

P Ceasing Business

For taxable years beginning on or after January 1, 2000 (other than the first taxable year beginning on or after that date), the tax for the final year in which the corporation does business in California is determined according to or measured by its net income for the taxable year during which the corporation ceased doing business.

In any event, the tax for any taxable year shall not be less than the minimum franchise tax.

For more information, see R&TC Section 23151.1.

The unreported income on installment obligations, the distribution of notes, and the distribution of corporate assets (i.e. land, buildings) at a gain must be included in income in the year of cessation. There is no federal law counterpart regarding this issue.

For more information, see R&TC Sections 24672 and 24451.

Note: A domestic or qualified corporation will remain subject to the minimum franchise tax for each year it is in existence until a certificate of dissolution (and certificate of winding up, if necessary), or certificate of withdrawal is filed with the California SOS. See General Information O, Dissolution/Withdrawal, and R&TC Sections 23331 through 23335 for more information.

Q Suspension/Forfeiture

If a corporation does not file Form 100 and/or does not pay any tax, penalty, or interest due, its powers, rights, and privileges may be suspended (in the case of a domestic corporation) or forfeited (in the case of a foreign corporation).

Corporations that operate while suspended or forfeited are subject to a $2,000 penalty, which is in addition to any tax, penalties, and interest already accrued. Also, any contracts entered into during suspension or forfeiture are voidable at the request of any party to the contract other than the suspended or forfeited corporation.

Such contracts will remain voidable and unenforceable unless the corporation applies for relief from contract voidability and the FTB grants relief.

See R&TC Sections 19135, 19719, 23301, 23305.1, and 23305.2 for more information.

R Apportionment of Income

Corporations with business income attributable to sources both within and outside of California are required to apportion such income. To calculate the apportionment percentage, use Schedule R, Apportionment and Allocation of Income. Be sure to answer Question M on Form 100, Side 2.

S Combined Report

If two or more corporations are engaged in a unitary business and derive income from sources within and outside of California, the members of the unitary group that are subject to California's franchise or income tax are required to apportion the combined income of the entire unitary group in order to compute the measure of the tax.

If the income of a unitary group is derived wholly from California sources, its members may either file returns on a separate accounting basis or file on a combined report basis.

Members of a unitary group may elect to file a group single return by filing Schedule R-7, Election to File a Unitary Taxpayers' Group Return and List of Affiliated Corporations. For more information, get Schedule R.

A combined unitary group's single return must present the group's data by separate corporation, as well as totals for the combined group.

The total combined tax, which must include at least the applicable minimum franchise tax for each corporation subject to the franchise tax, must be shown on Form 100, Side 1, line 24.

For more information, get FTB Pub. 1061, Guidelines for Corporations Filing a Combined Report.

T Preparer Tax Identification Number

Tax preparers have the option of providing their individual Social Security Number (SSN) or Preparer Tax Identification Number (PTIN) on returns they prepare. Preparers who want a PTIN must complete and submit federal Form W-7P, Application for Preparer Tax Identification Number, to the IRS.

U Amended Return

To correct or change a previously filed Form 100, file the most current Form 100X, Amended Corporation Franchise or Income Tax Return. Using the incorrect form may delay processing of the amended return. File Form 100X within six months after the corporation filed an amended federal return or after the final federal determination, if the IRS examined and changed the corporation's federal return.

V Information Returns

Every corporation engaged in a trade or business and making or receiving certain payments in the course of the trade or business is required to file information returns to report the amount of such payments. Payments that must be reported include, but are not limited to:

- Payments exceeding $600 annually for compensation for services not subject to withholding, commissions, fees, prizes and awards, payments to independent contractors, rents, royalties, legal services whether or not the payee is incorporated, interest (such as interest charged for late payment), and pensions;
- Payments exceeding $10 annually for interest earned and dividends;
- All payment amounts made by a broker or barter exchange;
- All payment amounts for gross proceeds paid to an attorney whether or not the services are performed for the payer; and
- Cash payments over $10,000 received in a trade or business.

See instructions for federal Forms 1099 (series), 1098, 5498, and W2-G; federal Publication 1220, Specifications for Filing Forms 1098, 1099, 5498 and W-2G Electronically or Magnetically; form FTB 4227, A Guide to Information Returns Filed With California; and form FTB 8305, Reporting Requirements for Forms 1098, 1099, 5498, and W-2G.

Report payments to FTB and IRS using the appropriate federal form. Reports must be made for the calendar year. Federal Forms 1099 (series), 1098, and W-2G's are due no later than February 28th and federal Form 5498 is due by May 30th of the year following payment. When the due date falls on a weekend or holiday, the deadline to file and pay without penalty is extended to the next business day. Federal Form 8300, Report of Cash Payments Over $10,000 Received in a

Trade or Business, is due within 15 days after the date of the transaction.

California requires corporations to report to FTB interest paid on municipal bonds held by California taxpayers and issued by a state other than California, or a municipality other than a California municipality. Entities paying interest to California residents on these types of bonds are required to report interest payments aggregating $10 or more and paid after January 1, 2006. These information returns will be due June 1, 2007. Get form FTB 4800, Federally Tax Exempt Non-California Bond Interest and Interest-Dividend Payment Information, for more information.

California conforms to the information reporting requirements imposed under IRC Sections 6038 through 6038C. Any federal Forms 5471, 5472, or 926 required to be filed for federal purposes under these IRC sections are also required to be filed for California purposes. These federal information returns should be attached to the Form 100 when filed. If these information returns are not provided, penalties may be imposed under R&TC Sections 19141.2 and 19141.5.

W Net Operating Loss (NOL)

For taxable years beginning on or after January 1, 2004, 100% of the NOL may be carried forward. For more information, see form FTB 3805Q, Net Operating Loss (NOL) Computation and NOL and Disaster Loss Limitations — Corporations, inside this booklet.

Carryover periods varying from 5 to 15 years and carryover deductions varying from 50% to 100% are allowed for NOLs sustained by corporations.

R&TC Sections 24416(c) through 24416.7 and R&TC Section 25108 provide for NOL carryovers incurred in the conduct of a trade or business.

R&TC Section 24347.5 provides special treatment for the carryover of disaster losses incurred in an area designated by the President of the United States or the Governor of California as a disaster area. Losses taken into account under the disaster provisions may not be included in computing regular NOL deductions.

For more information, see form FTB 3805Q, Net Operating Loss (NOL) Computation and NOL and Disaster Loss Limitations — Corporations (included in this booklet), or get form FTB 3805D, Net Operating Loss (NOL) Carryover Computation and Limitation — Pierce's Disease; form FTB 3805Z, Enterprise Zone Business Booklet; form FTB 3806, Los Angeles Revitalization Zone Business Booklet; form FTB 3807, Local Agency Military Base Recovery Area Business Booklet; or form FTB 3809, Targeted Tax Area Business Booklet.

X Limited Liability Companies (LLCs)

California law authorizes the formation of LLCs and recognizes out-of-state LLCs registered or doing business in California. The taxation of an LLC in California depends upon its classification as a corporation, partnership, or "disregarded entity" for federal tax purposes.

If an LLC elects to be taxed as a corporation for federal tax purposes, it must file Form 100. LLCs electing to be taxed as corporations are subject to the applicable provisions of the Corporation Tax Law and should be considered a corporation for purpose of all instructions unless otherwise indicated. Also, the Franchise Tax Board will assign an identification number to an LLC that files as a corporation. The LLC will be notified of this identification number upon receipt of the first estimated tax payment or the first tax return.

If an LLC elects to be taxed as a partnership for federal tax purposes, it must file Form 568. LLCs taxed as partnerships determine their income, deductions, and credits under the Personal Income Tax Law and are subject to an annual tax as well as an annual fee based on total income.

If a single member LLC is disregarded for federal tax purposes, it must file Side 1 and Side 3 of Form 568. A disregarded LLC reports its income, deductions, and credits on the return of its owner. However, an LLC that is disregarded is subject to the annual LLC tax as well as a fee based on total income. Form 568, Side 1, provides the FTB with information on the sole owner of the LLC, contains the owner's consent to be taxed on the income of the LLC, and provides for the computation of the LLC tax and fee.

Y New Corporations

New corporations, which begin business on or after January 1, 2000, are no longer required to prepay minimum franchise tax to the SOS.

For taxable years beginning on or after January 1, 2000, no minimum franchise tax will be due with the initial return. However, the corporation will compute its tax liability by multiplying its state net income by the appropriate tax rates.

Z California Use Tax

The use tax has been in effect in California since July 1, 1935. It applies to purchases from out-of-state sellers and is similar to the sales tax paid on purchases made in California.

In general, corporations must pay California use tax on purchases made from out of state (for example, by telephone, over the Internet, by mail, or in person) if:

- The seller does not collect California sales or use tax, and
- The corporation uses, gives away, stores, or consumes the item in this state.

Example: The corporation purchases a conference table from a company in North Carolina. The company ships the table from North Carolina to the corporation's address in California for the corporation's use and does not charge California sales or use tax. The corporation owes use tax on the purchase.

Complete the Use Tax Worksheet on page 13 to calculate the amount due.

Extensions to file. If the corporation requests an extension to file the tax return, wait until the corporation files the return to report the purchases subject to use tax and to make the use tax payment.

Penalty. To avoid late payment penalties for use tax, the corporation must report and pay the use tax with a **timely** filed franchise or income tax return.

Changes in use tax reported. Do not file an Amended Corporation Franchise or Income Tax Return to revise the use tax previously reported. If the corporation has changes to the amount of use tax previously reported on the original tax return, contact the State Board of Equalization.

For assistance, go to the State Board of Equalization's Website at **www.boe.ca.gov** or call their Information Center at (800) 400-7115 or TTY/TDD (800) 735-2929. Income tax information is not available at this number.

Specific Line Instructions

For taxable years beginning on or after January 1, 2000, C corporations filing on a water's-edge basis are required to use Form 100W to file their California tax return. Get Form 100W, Water's-Edge Booklet, for more information.

Filing Form 100 without errors will expedite processing. Before mailing Form 100, make sure entries have been made for the:

- California corporation number (a valid seven digit number assigned by the SOS);
- Federal employer identification number (FEIN) (nine digits);
- Refund or amount due boxes.(If line 41 and line 43 are zeros, check the refund box. Make sure to check **only** one box); and
- Corporation name (use the legal name filed with the SOS) and address (include PMB no., if applicable).

File the 2006 Form 100 for calendar year 2006 and fiscal years that begin in 2006. Enter taxable year beginning and ending dates **only** if the return is for a short year or a fiscal year. If the corporation reports its income using a calendar year, leave the date area blank. If the return is being filed for a short period (less than 12 months), write "short year" in red in the top margin. Convert all foreign monetary amounts to U.S. dollars.

Note: The 2006 Form 100 may also be used if:

- The corporation has a taxable year of less than 12 months that begins and ends in 2007; and
- The 2007 Form 100 is not available at the time the corporation is required to file its return. The corporation must show its 2007 taxable year on the 2006 Form 100 and incorporate any tax law changes that are effective for taxable years beginning after December 31, 2006.

Questions A through AA

Answer all applicable questions and attach additional sheets, if necessary. Be sure to answer Questions C through AA on Form 100, Side 2. Note the following instructions when answering:

Question E – Principal business activity (PBA) code
All corporations **must** answer Question E.

Include the six digit PBA code from the chart found on page 44 through page 46 of this booklet. The code should be the number for the specific industry group from which the greatest percentage of California "total receipts" is derived. "Total receipts" means gross receipts plus all other income. The California PBA code number may be different from the federal PBA code number.

If, as its principal business activity, the corporation: (1) Purchases raw material; (2) Subcontracts out for labor to make a finished product from the raw materials; and (3) Retains title to the goods, the corporation is considered to be a manufacturer and must enter one of the codes under "Manufacturing." Also, write in the business activity and the principal product or service on the lines provided.

Question J – Transfer or acquisition of voting stock
All corporations **must** answer all three questions.

If any of the answers are "Yes," a Statement of Change in Control and Ownership of Legal Entities (BOE-100-B), must be filed with the California State Board of Equalization (BOE); failure to do so may result in substantial penalties. Forms and information may be obtained from the BOE Website at **www.boe.ca.gov** and can be accessed through **Property Tax**, and then **Legal Entity Ownership Program**.

There may be a change in ownership or control if, during this year, one of the following occurred with respect to this corporation or any of its subsidiaries:

- The percentage of outstanding voting shares transferred to, or owned or controlled by, **one** person or **one** legal entity cumulatively exceeded 50%; or
- The total outstanding voting shares transferred to or held by **one** irrevocable trust or trust beneficiary cumulatively exceeded 50%; or
- One or more irrevocable proxies cumulatively transferred voting rights to more than 50% of the outstanding voting shares to **one** person or **one** entity; or
- This corporation, or any of its subsidiaries, cumulatively acquired ownership or control of more than 50% of the outstanding voting shares or other ownership interests in any legal entity; or
- As of the end of this year, cumulatively more than 50% of the total outstanding voting shares have been transferred, or the corporation experienced a change in ownership or control, in one or more transactions since March 1, 1975.

For purposes of these questions, leased real property is a leasehold interest in taxable real property: (1) leased for a term of 35 years or more (including renewal options), if not leased from a government agency; or (2) leased for any term, if leased from a government agency.

R&TC Section 64(e) requires this information for use by the California State BOE.

Question L – Reportable Transaction, Listed Transaction or Registered Tax Shelter
A Reportable Transaction is any transaction as defined in R&TC Section 18407 and Treas. Reg. Section 1.6011-4 and includes, but is not limited to:

- A Listed Transaction, or a transaction that is substantially similar to a listed transaction, which has been identified by the IRS or the FTB to be a tax avoidance transaction.
- A Confidential Transaction, which is offered to a taxpayer under conditions of confidentiality and for which the taxpayer has paid a minimum fee.
- A transaction with contractual protections which provides the taxpayer with the right to a full or partial refund of fees if all or part of the intended tax consequences from the transaction are not sustained.
- A loss transaction under Section 165 which is at least $10 million in any one-year or $20 million in any combination of tax years. (Those numbers would be reduced to $2 million and $4 million on the Form 100S.)
- A transaction where the taxpayer is claiming a tax credit of greater than $250,000 and held the asset for less than 45 days.

A Listed Transaction is a specific transaction, or one that is substantially similar, which has been identified by the IRS or the FTB to be a tax avoidance transaction.

Question S – Regulated Investment Company (RIC)
California conforms to federal law for taxable years beginning on or after January 1, 1998, for the provisions related to the repeal of the 30% gross income test for RICs.

Question T – Real Estate Mortgage Investment Conduit (REMIC)
If a corporation is a REMIC for federal purposes, it is deemed to be a REMIC for California purposes. A REMIC is subject to the minimum franchise tax but is not subject to the income or franchise tax. The income of a REMIC is taxable to the holders of the REMIC interests. In order to qualify, substantially all of the assets of the entity must consist of "qualified mortgages" and "permitted investments." See the instructions for federal Form 1066, U.S. Real Estate Mortgage Investment Conduit Income Tax Return, to determine if the corporation qualifies. California law is the same as federal law, except California does not impose a tax on prohibited transactions, as defined in IRC Section 860F. The income or gain from such prohibited transactions remains includible in the California tax base. If the corporation is a REMIC for federal purposes, answer "Yes" to Question T, complete Form 100 and attach a copy of federal Form 1066.

Question U – Real Estate Investment Trust (REIT)
California tax law has partially conformed to the REIT provisions of the Ticket to Work and Work Incentives Improvement Act of 1999 (Public Law 106-170) for taxable years beginning on or after January 1, 2001, except for the provisions relating to income from redetermined rents, redetermined deductions, and excess interest. Additionally, a federal election to treat property as foreclosure property under IRC Section 856(e)(5) is considered to be an election for California as well. No separate elections are allowed.

Question V – Limited Liability Company (LLC) or Limited Partnership
Answer "Yes" only if the business entity for which the Form 100 is being filed is organized as an LLC or limited partnership but is classified as a corporation for federal tax purposes. An LLC classified as a partnership for federal purposes should generally file Form 568. A limited partnership should file Form 565.

Question Z – Corporations That Own 80% of an Insurance Company
One of the provisions of R&TC Section 24410 (Stats.2004 ch.868) includes a reporting requirement to the Legislature. To meet this requirement, FTB may contact any corporation who answers, "yes" for additional information.

Line 1 through Line 42

Line 1 – Net income (loss) before state adjustments
Corporations using the federal reconciliation method to figure net income (see General Information I, Net Income Computation) must:

- Transfer the amount from federal Form 1120, line 28; or federal Form 1120A, line 24, to Form 100, Side 1, line 1; and attach a copy of the federal return and all pertinent supporting schedules; or copy the information from federal Form 1120 or Form 1120A, Page 1, onto Schedule F and transfer the amount from Schedule F, line 30, to Form 100, Side 1, line 1.
- Then, complete Form 100, Side 1, line 2 through line 17, State Adjustments.

Corporations using the California computation method to figure net income (see General Information I) must transfer the amount from Side 3, Schedule F, line 30, to Side 1, line 1. Complete Form 100, Side 1, line 2 through line 17, only if applicable.

Line 2 through Line 17 – State adjustments
To figure net income for California purposes, corporations using the federal reconciliation method must enter California adjustments to the federal net income on line 2 through line 17. If a specific line for the adjustment is not on Form 100, corporations must enter

the adjustment on line 8, Other additions, or line 16, Other deductions, and attach a schedule that explains the adjustment.

Line 2 and Line 3 – Taxes not deductible
California does not permit a deduction of California corporation franchise or income taxes or any other taxes on, according to, or measured by net income or profits. Such taxes that are shown on Form 100, Schedule A, must be added to income by entering the amount on Side 1, line 2 or line 3 (see Schedule A, column (d) for the amount to be added to income). California does not permit a deduction for environmental taxes imposed by IRC Section 59A.

The LLC fee is not a tax, R&TC Section 17942; therefore, it is deductible. Do not include any part of an LLC fee on line 2 or line 3.

Line 4 – Interest on government obligations
Corporations subject to California franchise tax must report all interest received on government obligations (such as federal, state, or municipal bonds). On line 4, enter all interest on government obligations that is not included in federal ordinary income (loss).

Corporations subject to California corporation income tax, see instructions for line 16.

Line 5 – Net California capital gain
Complete Schedule D on Side 5 of Form 100 and enter the California net capital gain from Schedule D, line 11.

See FTB Pub. 1061, Guidelines for Corporations Filing a Combined Report, for instructions on determining the net capital gain when a combined report is filed.

Line 6 and line 12 – Depreciation and amortization
California law is substantially different from federal law for corporations.

Complete form FTB 3885, Corporation Depreciation and Amortization (included in this booklet), to determine the amounts to enter on line 6 or line 12.

Line 7 – Net income not included in federal consolidated return
Use this line to report the net income from corporations included in the combined report but not included in the federal consolidated return.

Line 8 – Other additions
Any miscellaneous items that must be added to arrive at net income after state adjustments (line 18) should be shown on this line. Attach a schedule to itemize amounts.

If any federal contribution deduction was taken in arriving at the amount entered on Form 100, Side 1, line 1, include that amount on line 8.

California ordinary net gain or loss. Enter any California ordinary net gain or loss from Schedule D-1, Sales of Business Property. Attach Schedule D-1.

Line 10 – Dividend deduction
Complete Schedule H (100), Dividend Income Deduction, included in this booklet. Enter the total amount from Part I; line 7, column (d) on Form 100, line 10.

Line 13 – Federal capital gain net income
Enter the federal capital gain net income from federal Form 1120 or Form 1120A, line 8. The California net capital gain should have been added to income on line 5.

Line 14 – Contributions
The contribution deduction for a California corporation is limited to the adjusted basis of the assets being contributed.

For taxable years beginning on or after January 1, 1996, the contribution deduction is limited to 10% of California net income. Carryover provisions per IRC Section 170(d)(2) apply for excess contributions made during taxable years beginning on or after January 1, 1996.

On a separate worksheet, using the Form 100 format, complete Form 100, Side 1, line 1 through line 18 without regard to line 14, Contributions. If any federal contribution deduction was taken in arriving at the amount entered on Side 1, line 1, enter that amount as a positive number on line 8 of the Form 100 formatted worksheet. Enter the adjusted basis of the assets contributed on line 5 of the following worksheet. Then complete the worksheet that follows to determine the contributions to enter on line 14.

1. Net income after state adjustments from Side 1, line 18 . . . . . _____
2. Deduction for dividends received. . . _____
3. Net income for contribution calculation purposes. Add line 1 and line 2 . . . . . _____
4. Contributions. Multiply line 3 by 10% (.10) . . . . . _____
5. Enter the amount actually contributed . . . . . _____
6. Enter the smaller of line 4 or line 5 here and on Side 1, line 14. . . . _____

Get Schedule R to figure the contribution computation for apportioning corporations.

Line 15 – EZ, LAMBRA, or TTA, business expense and EZ net interest deduction
Businesses conducting a trade or business within an Enterprise Zone (EZ), Local Agency Military Base Recovery Area (LAMBRA), or Targeted Tax Area (TTA), may elect to treat a portion of the cost of qualified property as a business expense rather than a capital expense. For the year the property is placed in service, the business may deduct a percentage of the cost in that year rather than depreciate it over the life of the asset. For more information, get form FTB 3805Z; form FTB 3807; or form FTB 3809.

Also, a deduction may be claimed on this line for the amount of net interest on loans made to an individual or company doing business within an EZ. For more information, get form FTB 3805Z.

Be sure to attach a copy of the applicable form to the Form 100 if any of these benefits are claimed. If the proper form is not attached, these tax benefits may be disallowed.

Line 16 – Other deductions
Include on this line deductions not claimed on any other line. Attach a schedule that clearly shows how each deduction was computed and explain the basis for the deduction.

For corporations subject to income tax (instead of the franchise tax), interest received on obligations of the federal government and on obligations of the state of California and its political subdivisions is exempt from income tax. If such interest is reported on line 4, it must be deducted on line 16.

Federal ordinary net gain or loss. Enter any federal ordinary net gain or loss from federal Form 4797, Sales of Business Property.

Line 19 – Net income (loss) for state purposes
If all corporate income is derived from California sources, transfer the amount on line 18 directly to line 19.

If only a portion of income is derived from California sources, complete Schedule R before entering any amount on line 19. Transfer the amount from Schedule R, line 35, to Form 100, line 19. Be sure to answer "Yes" to Question M on Form 100, Side 2.

If this line is a net loss, complete and attach the 2006 form FTB 3805Q to Form 100.

Line 20, Line 21, and Line 22
Note: The order in which line 20, line 21, and line 22 appear is not meant to imply the order in which any NOL carryover deduction or disaster loss deduction should be taken if more than one type of deduction is available.

Line 20 – Net operating loss (NOL) carryover deduction
The NOL carryover deduction is the amount of the NOL carryover from prior years that may be deducted from income in the current taxable year.

If line 19 is a positive amount, enter the NOL carryover deduction from the 2006 form FTB 3805Q, Part III, line 3 on Form 100, line 20. The loss may not reduce current year income below zero. Any excess loss must be carried forward. Attach a copy of the 2006 form FTB 3805Q to Form 100.

If the full amount of the NOL carryover may not be deducted this year, complete and attach a 2006 form FTB 3805Q showing the computation of the NOL carryover to future years.

If line 19 is a negative amount, corporations may not claim an NOL carryover deduction.

Enter -0- on line 20. See the 2006 form FTB 3805Q instructions to compute the NOL carryover to future years.

If the corporation terminates its election to be taxed as an S corporation, thus becoming a C corporation, then only that portion of the prior NOL carryover incurred while it had C corporation status may be used to the extent it has not expired.

Line 21 – Pierce's disease, EZ, LARZ, TTA, or LAMBRA NOL carryover deduction
An NOL generated by a farming business due to Pierce's disease or a business that operates (operated) or invests (invested) within an EZ, the former Los Angeles Revitalization Zone (LARZ), the TTA, or a LAMBRA receives special tax treatment. The loss may not reduce the corporation's current year income below zero. Any excess loss must be carried forward. Compute the corporation's Pierce's disease, EZ, TTA, or LAMBRA NOL using form FTB 3805D; form FTB 3805Z; form FTB 3809; or form FTB 3807, respectively.

Enter the Pierce's disease, EZ, TTA, LAMBRA, or former LARZ NOL carryover deduction from the corporation's form FTB 3805D; form FTB 3805Z; form FTB 3809; form FTB 3807; or form FTB 3806; on Form 100, line 21. Attach a copy of the applicable NOL form to the Form 100.

Line 22 – Disaster loss carryover deduction
If the corporation has a disaster loss carryover deduction, enter the total amount from the 2006 form FTB 3805Q, Part III, line 1, if there is income in the current year. The loss may not reduce current year income below zero. Any excess loss must be carried forward.

Line 24 – Tax
Use rates listed in General Information B, Tax Rates, and C, Minimum Franchise Tax.

Line 25 through Line 27 – Tax credits
A variety of tax credits are available to California corporations to reduce tax. However, corporations may not reduce the tax (line 24) below the minimum franchise tax, if applicable.

Also, the amount of the credit that a corporation is allowed to claim may be limited. Generally, if the corporation completed federal Form 4626, Alternative Minimum Tax – Corporations, the corporation may have limited credits. Complete Schedule P (100) (included in this booklet) to compute this limitation.

Corporations claiming the following credits are not subject to the tentative minimum tax limitation.

- Enterprise zone hiring & sales or use tax credit;
- LARZ construction hiring & sales or use tax credit carryover;
- Solar energy credit carryover (Code 180);
- Commercial solar energy credit carryover;
- Commercial solar electric system credit;
- Research credit;
- Orphan drug credit carryover;
- Low-income housing credit;
- Manufacturers' investment credit carryover;
- Targeted tax area hiring and sales or use tax credit;
- Natural heritage preservation tax credit;
- Program area sales and use tax and hiring credit carryover; and
- Clinical testing expense credit carryover.

Each credit is identified by a code number. See the credit code chart on page 22. To claim one or two credits, enter the credit name, code number, and the amount of the credit on line 25 and line 26. To claim more than two credits, use Schedule P (100). List two of the credits on line 25 and line 26. Enter the total of any remaining credits from Schedule P (100) on line 27. Do not make an entry on line 27 unless line 25 and line 26 are complete.

To figure tax credits, use the appropriate form or schedule. If the corporation claims a credit carryover for an expired credit, use form FTB 3540, Credit Carryover Summary, to figure the amount of credit, unless the corporation is required to complete Schedule P (100). In that case, enter the amount of the credit on Schedule P (100) and complete Schedule P (100). Do not attach form FTB 3540.

Attach the credit form or schedule and Schedule P (100), if applicable, to Form 100.

Line 29 – Balance
Subtract line 28 from line 24. Enter the result or the applicable minimum franchise tax, whichever is more. See General Information C, Minimum Franchise Tax.

Line 30 – Alternative minimum tax (AMT)
Enter on this line the AMT from Schedule P (100), Part I, line 19, or Part II, line 18, whichever is applicable.

Line 33 – 2006 Estimated tax payments
Enter the total amount of estimated tax payments made during the 2006 taxable year on this line.

Line 34 – 2006 Nonresident or real estate withholding

Enter the 2006 nonresident or real estate withholding credit from Form(s) 592-B, 593-B, or 594. Attach a copy of the form(s) to the lower front of Form 100, Side 1.

Line 37 and Line 38 – Tax due or overpayment
Revise the amount of tax due or overpayment, if applicable, by the amount on Side 3, Schedule J, line 6. See instructions for Schedule J.

Line 39 – Amount to be credited to 2007 estimated tax
If the corporation chooses to have the overpayment credited to next year's estimated tax payment, the corporation cannot later request that the overpayment be applied to the prior year to offset any tax due.

Line 40 – Use Tax
As explained under General Information Z, California use tax applies to purchases from out-of-state sellers (for example, purchases made by telephone, over the Internet, by mail, or in person). If the corporation has questions on whether a purchase is taxable, go to the State Board of Equalization's Website at **www.boe.ca.gov**, or call the Board's Information Center at (800) 400-7115 or TTY/TDD (800) 735-2929.

The corporation may report use tax on the Corporation Franchise or Income Tax Return instead of filing a use tax return with the State Board of Equalization. To report use tax on the corporation tax return, complete the Use Tax Worksheet on this page.

If the corporation owes use tax but chooses not to report it on the tax return, the corporation must report and pay the tax to the State Board of Equalization. To do so, download a copy of Publication 79-B, California Use Tax, from **www.boe.ca.gov** or request a copy by calling the Board's Information Center.

Failure to timely report and pay the use tax due may result in the assessment of penalties.

Note: Businesses that have a California seller's permit must continue to report business purchases subject to use tax on their sales and use tax returns.

Use Tax Worksheet

Round all amounts to the nearest whole dollar.

1. Enter purchases from out-of-state or Internet sellers made without payment of California sales/use tax. See worksheet instructions below . . . . . $ _____.00
2. Enter the decimal equivalent of the applicable sales and use tax rate. See worksheet instructions below. . . _____
3. Multiply line 1 by the tax rate on line 2. Enter result here. $ _____.00
4. Enter any sales or use tax you paid to another state for purchases included on line 1. See worksheet instructions below . . . . . $ _____.00
5. Total use Tax Due. Subtract line 4 from line 3. Enter the amount here and on Form 100, line 40. If the amount is less than zero, enter -0-. . . . . $ _____.00

Worksheet, Line 1, Purchases Subject to Use Tax

- Report items that would have been taxable in a California store, such as office equipment and supplies.
- Include handling charges.
- Do not include any other state's sales or use tax paid on the purchases.
- Enter only purchases made during the year that corresponds with the tax return you are filing.

Note: Do not report the following on your income tax return:

- Vehicles, vessels, and trailers that must be registered with the Department of Motor Vehicles.
- Mobile homes or commercial coaches that must be registered annually as required by the Health and Safety Code.
- Vessels documented with the U.S. Coast Guard.
- Aircraft.
- Leases of machinery, equipment, vehicles, and other tangible personal property.

Worksheet, Line 2, Sales and Use Tax Rate

- Enter the decimal equivalent of the sales and use tax rate applicable to the place in California where the property is used, stored, or otherwise consumed. For example, the decimal equivalent of 7.25%

is 0.0725, and the decimal equivalent of 7.375% is 0.07375.

- If the organization does not know the applicable rate, see the table below, "Sales and Use Tax Rates by County." If the organization has questions regarding the use tax rate in effect in your area, go to the State Board of Equalization's Website at **www.boe.ca.gov** or call the Board's Information Center at (800) 400-7115 or TTY/TDD (800) 735-2929.

Worksheet, Line 4, Credit for Tax Paid to Another State

- This is a credit for tax paid to other states. The organization cannot claim a credit greater than the amount of tax that would have been due if the purchase had been made in California. For example, if the organization paid $8.00 sales tax to another state for a purchase, and would have paid $6.00 in California, it can claim a credit of only $6.00 for that purchase.

Sales and Use Tax Rates by County
(includes state, local, and district taxes)
As of December 31, 2006

County	Rate	County	Rate
Alameda	8.75%	Orange[1]	7.75%
Alpine	7.25%	Placer	7.25%
Amador	7.25%	Plumas	7.25%
Butte	7.25%	Riverside	7.75%
Calaveras	7.25%	Sacramento	7.75%
Colusa	7.25%	San Benito[1]	7.25%
Contra Costa[1]	8.25%	San Bernardino[1]	7.75%
Del Norte	7.25%	San Diego[1]	7.75%
El Dorado[1]	7.25%	San Francisco	8.50%
Fresno[1]	7.975%	San Joaquin[1]	7.75%
Glenn	7.25%	San Luis Obispo	7.25%
Humboldt[1]	7.25%	San Mateo	8.25%
Imperial[1]	7.75%	Santa Barbara	7.75%
Inyo	7.75%	Santa Clara	8.25%
Kern	7.25%	Santa Cruz[1]	8.00%
Kings	7.25%	Shasta	7.25%
Lake[1]	7.25%	Sierra	7.25%
Lassen	7.25%	Siskiyou	7.25%
Los Angeles[1]	8.25%	Solano	7.375%
Madera	7.25%	Sonoma[1]	7.75%
Marin[1]	7.75%	Stanislaus	7.375%
Mariposa	7.75%	Sutter	7.25%
Mendocino[1]	7.25%	Tehama	7.25%
Merced[1]	7.25%	Trinity	7.25%
Modoc	7.25%	Tulare[1]	7.25%
Mono	7.25%	Tuolumne[1]	7.25%
Monterey[1]	7.25%	Ventura	7.25%
Napa	7.75%	Yolo[1]	7.25%
Nevada[1]	7.375%	Yuba	7.25%

1. Many cities in California impose a district tax, which results in a higher sales and use tax rate than in other parts of the county. If you are reporting an item that was purchased for use in any of the following cities, please use the appropriate tax rate shown on this page. The following tax rates apply within the city limits of the listed community.

County	City	Citywide Rate
Contra Costa	Richmond	8.75%
El Dorado	Placerville	7.50%
El Dorado	South Lake Tahoe	7.75%
Fresno	Clovis	8.275%
Humboldt	Trinidad	8.25%
Imperial	Calexico (effective 4/01/2006)[a]	7.75%
Lake	Clearlake	7.75%
Lake	Lakeport	7.75%
Los Angeles	Avalon	8.75%
Marin	San Rafael (effective 4/01/2006)[b]	8.25%
Mendocino	Fort Bragg	7.75%
Mendocino	Point Arena	7.75%
Mendocino	Ukiah	7.75%
Mendocino	Willits	7.75%
Merced	Los Banos	7.75%
Merced	Merced (effective 4/01/2006)[c]	7.75%
Monterey	Salinas (effective 4/01/2006)[d]	7.75%
Monterey	Sand City	7.75%
Nevada	Town of Truckee	7.875%
Orange	Laguna Beach (effective 7/01/2006)[k]	8.25%
San Benito	San Juan Bautista	8.00%
San Bernardino	Montclair	8.00%
San Diego	El Cajon	8.25%
San Diego	National City (effective 10/01/2006)[l]	8.75%
San Joaquin	Stockton	8.00%
Santa Cruz	Capitola	8.25%
Santa Cruz	Santa Cruz	8.25%
Santa Cruz	Scotts Valley (effective 4/01/2006)[e]	8.50%
Sonoma	Sebastopol	8.00%
Sonoma	Santa Rosa	8.00%
Tulare	Dinuba (effective 4/01/2006)[f]	8.00%
Tulare	Farmersville	7.75%
Tulare	Porterville (effective 4/01/2006)[g]	7.75%
Tulare	Tulare (effective 4/01/2006)[h]	7.75%
Tulare	Visalia	7.50%
Tuolumne	Sonora	7.75%
Yolo	Davis	7.75%
Yolo	West Sacramento	7.75%
Yolo	Woodland (effective 10/1/06)[i,j]	7.75%

a) The tax rate in Calexico prior to April 1, 2006, was 8.25%.
b) The tax rate in San Rafael prior to April 1, 2006, was 7.75%.
c) The tax rate in City of Merced prior to April 1, 2006, was 7.25%.
d) The tax rate in Salinas prior to April 1, 2006, was 7.25%.
e) The tax rate in Scotts Valley prior to April 1, 2006, was 8.00%.
f) The tax rate in Dinuba prior to April 1, 2006, was 7.25%.
g) The tax rate in Porterville prior to April 1, 2006, was 7.25%.
h) The tax rate in City of Tulare prior to April 1, 2006, was 7.25%.
i) The tax rate in Woodland prior to July 1, 2006, was 7.75%.
j) The tax rate in Woodland from July 1, 2006 to September 30, 2006, was 7.25%.
k) The tax rate in Laguna Beach prior to July 1, 2006, was 7.75%.
l) The tax rate in National City prior to October 1, 2006, was 7.75%.

Line 41 – Refund

Direct Deposit of Refund (DDR)
Direct deposit is fast, safe, and convenient. To have the refund directly deposited into the corporation's bank account, enter the account information on Form 100, Side 2, line 41a, 41b, and 41c. Please be sure to fill in **all** the information.

Do not attach a voided check or deposit slip. The illustration on page 15 shows which bank numbers to transfer to Form 100, Side 2, line 41a and line 41c.

To cancel the direct deposit of refund, call FTB at (916) 845-0353. FTB is not responsible when a financial institution rejects a direct deposit. If FTB, the bank, or financial institution rejects the direct deposit due to an error in the routing number or account number, FTB will issue a paper check.

Line 42 – Penalties and interest
Enter on line 42a the amount of any penalties and interest due. Complete and attach form FTB 5806, Underpayment of Estimated Tax by Corporations, to the **front** of Form 100, if Exception B or Exception C is used in computing or eliminating the penalty. Be sure to check the box on line 42b.

Schedules

Schedule A – Taxes Deducted

Enter the nature of the tax, the taxing authority, the total tax, and the amount of the tax that is not deductible for California purposes on Form 100, Side 3, Schedule A.

Schedule D – Capital Gain or Loss

California law does not conform to the federal reduced capital gains tax rates. California taxes capital gains at the same rate as other types of income. California does not allow a three-year carryback of capital losses.

Enter any unused capital loss carryover from 2005 on Schedule D, line 3.

For information regarding the application of the capital loss limitation and the capital loss carryover in a combined report, see Cal. Code Regs., tit. 18 section 25106.5-2 and FTB Pub. 1061, Guidelines for Corporations Filing a Combined Report.

Schedule F – Computation of Net Income

See General Information I, Net Income Computation, for information on net income computation methods.

Line 4 – Total Dividends

Enter the total amount of dividends received.

Line 13 – Salaries and Wages

Gain from the exercise of California Qualified Stock Options (CQSOs) issued and exercised on or after January 1, 1997, and before January 1, 2001, can be excluded from gross

income if the individual's earned income is $40,000 or less. The exclusion from gross income is subject to AMT and the corporation is not allowed a deduction for the compensation excluded from the employee's gross income. For more information, see R&TC Section 24602.

Line 27 – Other deductions
Do not include any dividend deduction on this line. Instead enter the dividend deduction on Form 100, Side 1, line 10, or line 11.

Line 28 – Specific deduction for 23701r or 23701t organizations

Political organizations
A political organization exempt under R&TC Section 23701r must file Form 100 and report "political taxable income" in excess of $100.

"Political taxable income" means all amounts received during the taxable year other than:

- Contributions of money or other property;
- Membership fees, dues, or assessments; and
- Proceeds from political fundraising or entertainment events, or proceeds from the sale of political campaign material not received in the ordinary course of any trade or business.

Political organizations are not subject to the minimum franchise tax nor are they required to make estimate payments. The tax is computed under Chapter 3 of the Corporation Tax Law.

Enter the $100 limit on Schedule F, line 28, as a qualified "specific deduction."

Exempt homeowners' associations
A homeowners' association exempt under R&TC Section 23701t must file Form 100 if it received nonexempt function gross income in excess of $100. Form 100 may be required in addition to Form 199, California Exempt Organization Annual Information Return.

Nonexempt function gross income means gross income received during the taxable year other than amounts received from membership fees, dues, or assessments. Nonexempt function gross income includes the gross amount of such items as, but not limited to: interest, dividends, rents, royalties, sale of assets, and income from nonmembers.

Exempt homeowners' associations are not subject to the minimum franchise tax. The tax is computed under Chapter 3 of the Corporation Tax Law. Under Chapter 3, estimated tax payments may be required. Form 100 is due within 2 months and 15 days after the close of the taxable year.

Enter the $100 limit on Schedule F, line 28, as a qualified "specific deduction."

Schedule G – Bad Debts Reserve Method

For taxable years beginning on or after January 1, 2002, only banks that are not a large bank, as defined in the IRC Section 585 (c)(2), may use the bad debt reserve method. For the purpose of the bad debt reserve method, banks include savings and loan associations, and other financial institutions. For more information, see IRC Sections 581 and 585. Complete Schedule G on this page and attach it to Form 100.

Schedule J – Add-On Taxes and Recapture of Tax Credits

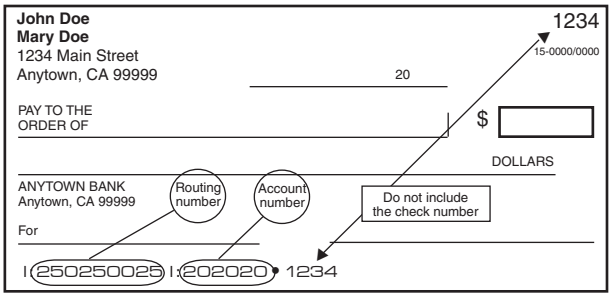
Complete Schedule J if the corporation has credit amounts to recapture or is required to include installment payments of "add-on" taxes from:

- Last-in, first-out (LIFO) recapture resulting from an S corporation election;
- Interest computed under the look-back method for completed long-term contracts;
- Interest on tax attributable to installment sales of certain property or use of the installment method for non-dealer installment obligations; or
- IRC Section 197(f)(9)(B)(ii) election to recognize gain on the disposition of an IRC Section 197 intangible.

Revise the amount of tax due or overpayment on Form 100, line 37 or line 38, as applicable by the amount from Schedule J, line 6.

Installment payment of tax attributable to last-in, first-out (LIFO) recapture for corporations making an S corporation election. A corporation that uses the LIFO inventory pricing method and makes an S corporation election must include a "LIFO recapture amount" in income for its last year as a C corporation. The corporation's LIFO recapture amount is equal to the excess of the inventory amount using the first-in, first-out (FIFO) method, over the inventory

✓Tip Do not use a deposit slip to find the bank numbers. Contact your financial institution for assistance in getting the correct routing number.



Schedule G Bad Debts — Reserve Method. See instructions

(a) Taxable year	(b) Accounts outstanding at the end of the year	Amount added to reserve (c) Current year's provisions	(d) Recoveries	(e) Amount charged against reserve	(f) Reserve for bad debts at end of year
2001					
2002					
2003					
2004					
2005					
2006					

amount using the LIFO method, at the close of the corporation's last taxable year as a C corporation.

The additional tax resulting from inclusion of the LIFO recapture in income is payable in four equal installments. The first installment is due on the original due date of Form 100 of the electing corporation's last year as a C corporation.

To determine the additional tax due to LIFO recapture, the corporation must complete Form 100, Side 1, line 19 through line 31, based on income that does not include the LIFO recapture amount.

On a separate worksheet using the Form 100 format, the corporation must complete the equivalent of Form 100, Side 1, line 19 through line 31, based on taxable income including the LIFO recapture amount. Form 100, Side 1, line 31, must then be compared to line 31 of the worksheet. The difference is the additional tax due to LIFO recapture.

Since Form 100, Side 1, line 33, does not include the additional tax due to LIFO recapture, corporations must include 1/4 of the additional tax on Schedule J, line 1 and adjust line 37 or line 38 accordingly. Attach the worksheet showing the computation.

Note: The electing S corporations must pay the remaining three installments of deferred tax with Form 100S.

Long-term contracts. If the corporation must compute interest under the look-back method for completed long-term contracts, complete and attach form FTB 3834, Interest Computation Under the Look-Back Method for Completed Long-Term Contracts. Include the amount of interest the corporation owes or the amount of interest to be credited or refunded to the corporation on Schedule J, line 2. If interest is to be credited or refunded, enter as a negative amount. Attach form FTB 3834 to Form 100.

Interest on tax attributable to payments received on installment sales of certain timeshares and residential lots. If the corporation elected to pay interest on the amount of tax attributable to payments received on installment obligations arising from the disposition of certain timeshares and residential lots under IRC Section 453(l)(3), it must include the interest due on Schedule J, line 3a. For the applicable interest rates, get FTB Pub. 1138, Business Entity Refund/Billing Information. Attach a schedule showing the computation.

Interest on tax deferred under the installment method for certain nondealer installment obligations. If an obligation arising from the disposition of property to which IRC Section 453A(c) applies is outstanding at the close of the year, the corporation must include the interest due under IRC Section 453A on Schedule J, line 3b. For the applicable interest rates, get FTB Pub. 1138.

IRC Section 197(f)(9)(B)(ii) election. Complete Schedule J, line 4 if the corporation elected to pay tax on the gain from the sale of an intangible under the related person exception to the anti-churning rules.

Credit recapture. Complete Schedule J, line 5, if the corporation completed the credit recapture portion of form:

- FTB 3501, Employer Child Care Program/ Contribution Credit;
- FTB 3511, Environmental Tax Credit;
- FTB 3805Z, Enterprise Zone Deduction and Credit Summary;
- FTB 3807, Local Agency Military Base Recovery Area Deduction and Credit;
- FTB 3808, Manufacturing Enhancement Area Credit Summary;
- FTB 3809, Targeted Tax Area Deduction and Credit Summary;
- FTB 3534, Joint Strike Fighter Credits; or
- FTB 3508, Solar or Wind Energy System Credit.

Also complete Schedule J, line 5, if the corporation is subject to recapture of:

- The Farmworker Housing Credits; or
- The Community Development Financial Institution Deposits Credit.

Schedule M-1 – Reconciliation of income (loss) per books with income (loss) per return.

Schedule M-1 is used to reconcile the difference between book and tax accounting for an income or expense item. The federal and state Schedule M-1 may be the same when you use the federal reconciliation method for net income computation. See General Information I, Net Income Computation, for more information. The Schedule M-1 will be different from the federal Form 1120, Schedule M-1, if using the California computation method for net income. The California computation method is generally used when the corporation has no federal filing requirement, or if the corporation maintains separate records for state purposes.

Reporting requirements: If the corporation's total receipts (see top of page 44 for definition of total receipts) for the taxable year **and** total assets at the end of the taxable year are less than $250,000, the corporation is not required to complete Schedule L, Schedule M-1, and Schedule M-2. However, this information must be available in the future upon request.

Corporation with total assets of $10 million or more. For taxable years beginning on or after January 1, 2004, the Internal Revenue Service (IRS) requires any corporation with total assets of $10 million or more on the last day of the taxable year to complete Schedule M-3 (Form 1120), Net Income (Loss) Reconciliation for Corporations With Total Assets of $10 Million or More, instead of Schedule M-1, Reconciliation of Income (Loss) per Books With Income per Return. For California purposes, the corporation **must still** complete the California Schedule M-1, and:

- Attach a copy of the Schedule M-3 (Form 1120) and related attachments to the California Franchise or Income Tax Return; or
- Attach a complete copy of the federal return; or
- FTB will accept the Schedule M-3 (Form 1120) in a spreadsheet format if more convenient.

TAXABLE YEAR **2006**

California Corporation Franchise or Income Tax Return

FORM **100**

For calendar year 2006 or fiscal year beginning month____day____year _____, and ending month____day____year _____.

California corporation number	Federal employer identification number (FEIN)	Check if corporation has: Refund on line 41 ☐ or Amount due on line 43 ☐
	-	

Corporation name

Address including Suite, Room, or PMB no.

City | State | ZIP Code

Schedule Q Questions

A FINAL RETURN? ● ☐ Dissolved ☐ Surrendered (withdrawn) ☐ Merged/Reorganized ☐ IRC Section 338 sale ☐ QSub election
Enter date ● _____

B Is income included in a combined report of a unitary group? . . . . . ● ☐ Yes ☐ No
If "Yes," indicate: ☐ wholly within CA (R&TC 25101.15)
☐ within and outside of CA

(*continued on Side 2*)

State Adjustments	1	Net income (loss) before state adjustments. See instructions			● 1		
	2	Amount deducted for foreign or domestic tax based on income or profits from Schedule A			● 2		
	3	Amount deducted for tax under the provisions of the Corporation Tax Law from Schedule A			● 3		
	4	Interest on government obligations			● 4		
	5	Net California capital gain from Schedule D, line 11			● 5		
	6	Depreciation and amortization in excess of amount allowed under California law. Attach form FTB 3885			● 6		
	7	Net income from corporations not included in federal consolidated return. See instructions			● 7		
	8	Other additions. Attach schedule(s)			● 8		
	9	Total. Add line 1 through line 8			● 9		
	10	Intercompany dividend deduction. Attach Schedule H (100)	● 10				
	11	Dividends received deduction	● 11				
	12	Additional depreciation allowed under CA law. Attach form FTB 3885	● 12				
	13	Capital gain from federal Form 1120 or Form 1120A, line 8	● 13				
	14	Contributions	● 14				
	15	EZ, LAMBRA, or TTA business expense and EZ net interest deduction	● 15				
	16	Other deductions. Attach schedule(s)	● 16				
	17	Total. Add line 10 through line 16			● 17		
	18	Net income (loss) after state adjustments. Subtract line 17 from line 9. See instructions			● 18		
CA Net Income	19	Net income (loss) for state purposes. Complete Schedule R if apportioning income. See instructions			● 19		
	20	Net operating loss (NOL) carryover deduction. See instructions	● 20				
	21	Pierce's disease, EZ, LARZ, TTA, or LAMBRA NOL carryover deduction. See instructions	● 21				
	22	Disaster loss carryover deduction. See instructions	● 22				
	23	Net income for tax purposes. Combine line 20 through line 22. Then, subtract from line 19			● 23		
Taxes	24	Tax. _____% x line 23 (not less than minimum franchise tax, if applicable)			■ 24		
	25	Credit name _____ code no. __ __ __ amount	▶ 25				
	26	Credit name _____ code no. __ __ __ amount	▶ 26				
	27	To claim more than two credits, see instructions	● 27				
	28	Add line 25 through line 27			■ 28		
	29	**Balance**. Subtract line 28 from line 24 (not less than minimum franchise tax, if applicable)			■ 29		
	30	Alternative minimum tax. Attach Schedule P (100). See instructions			■ 30		
	31	**Total tax.** Add line 29 and line 30			■ 31		
Payments	32	Overpayment from prior year allowed as a credit	■ 32				
	33	**2006 Estimated tax payments.** See instructions	■ 33				
	34	2006 Nonresident or real estate withholding. See instructions	■ 34				
	35	Amount paid with extension of time to file tax return	■ 35				
	36	Total payments. Add line 32 through line 35			■ 36		

Refund or Amount Due				
37	**Franchise or income tax due.** If line 31 is more than line 36, subtract line 36 from line 31. Go to line 40	■37		
38	**Overpayment.** If line 36 is more than line 31, subtract line 31 from line 36	■38		
39	Amount of line 38 to be credited to 2007 estimated tax	■39		
40	**Use tax.** See instructions	●40		00
41	**Refund.** If the sum of line 39 and line 40 is less than line 38, then subtract the result from line 38. See instructions to have the refund directly deposited. **a** Routing number	■41		
	b Type: Checking ● ☐ Savings ● ☐ **c** Account number	●41a / ●41c		
42	**a** Penalties and interest	■42a		
	b ● ☐ Check if estimate penalty computed using Exception B or C. See instructions.			
43	**Total amount due.** Add line 37, line 39, line 40, and line 42a. Then, subtract line 38 from the result.	43		

Schedule Q Questions (continued from Side 1)

C If the corporation filed on a water's-edge basis pursuant to R&TC Sections 25110 and 25113 in previous years, enter the date the water's-edge election ended ● _____

D Was the corporation's income included in a consolidated federal return? ● ☐ Yes ☐ No

E Principal business activity code. (Do not leave blank): ● _____

Business activity _____

Product or service _____

F Date incorporated: _____

Where: ● State ____ Country _____

G Date business began in California or date income was first derived from California sources ● _____

H First return? ● ☐ Yes ☐ No If "Yes" and this corporation is a successor to a previously existing business, check the appropriate box.

● (1) ☐ sole proprietorship (2) ☐ partnership (3) ☐ joint venture (4) ☐ corporation (5) ☐ other

(attach statement showing name, address, and FEIN/SSN/ITIN of previous business)

I "Doing business as" name: ● _____

J 1. If this corporation or any of its subsidiaries owned or leased real property in California, was there a change in control or majority ownership of any one of them this year? ● ☐ Yes ☐ No

2. For this taxable year, did this corporation or any of its subsidiaries acquire control or majority ownership of any other legal entity that owned or leased real property in California? ● ☐ Yes ☐ No

3. If this corporation or any of its subsidiaries owned or leased real property in California, has more than 50% of the voting stock of any one of them cumulatively transferred in one or more transactions since March 1, 1975? ● ☐ Yes ☐ No

(Penalties may apply – see instructions.)

K At any time during the taxable year, was more than 50% of the voting stock:

a Of the corporation owned by any single interest? ● ☐ Yes ☐ No

b Of another corporation owned by this corporation? ● ☐ Yes ☐ No

c Of this and one or more other corporations owned or controlled, directly or indirectly, by the same interests? ● ☐ Yes ☐ No

If a or c is "Yes," enter the country of the ultimate parent ● _____

If a, b or c is "Yes," furnish a statement of ownership indicating pertinent names, addresses, and percentages of stock owned. If the owner(s) is an individual, provide the SSN.

L Has the corporation included a Reportable Transaction, Listed Transaction or Registered Tax Shelter within this return? (See instructions for definitions) ● ☐ Yes ☐ No

If yes, complete and attach Form 8886 and/or Form 8271 for each transaction.

M Is this corporation apportioning income to California using Schedule R? ● ☐ Yes ☐ No

N How many affiliates in the combined report are claiming immunity from taxation in California under Public Law 86-272? ● _____

O Corporation headquarters are: ● (1) ☐ Within California (2) ☐ Outside of California, within the U.S. (3) ☐ Outside of the U.S.

P Location of principal accounting records _____

Q Accounting method: ● (1) ☐ Cash (2) ☐ Accrual (3) ☐ Other

R Did this corporation or one of its subsidiaries make a federal election to be treated as a foreign sales corporation (FSC) or a domestic international sales corporation (DISC)? ☐ Yes ☐ No

S Is this corporation or any of its subsidiaries a RIC ? ● ☐ Yes ☐ No

T Is this corporation treated as a REMIC for California purposes? ● ☐ Yes ☐ No

U Is this corporation a REIT for California purposes? ● ☐ Yes ☐ No

V Is this corporation an LLC or limited partnership electing to be taxed as a corporation for federal purposes? ● ☐ Yes ☐ No

W Is this corporation to be treated as a credit union? ● ☐ Yes ☐ No

X Is the corporation under audit by the IRS or has it been audited by the IRS in a prior year? ● ☐ Yes ☐ No

Y Have all required information returns (e.g. Federal Forms 1099, 5471, 5472, 8300, 8865, etc.) been filed with the Franchise Tax Board? ☐ N/A ☐ Yes ☐ No

Z Does the taxpayer (or any corporation of the taxpayer's combined group, if applicable) own 80% or more of the stock of an insurance company? ☐ Yes ☐ No

AA Did this corporation file the Federal Schedule M-3 (Form 1120)? ● ☐ Yes ☐ No

Please Sign Here	Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.			
	Signature of officer ▶	Title	Date	● Telephone ( )
Paid Preparer's Use Only	Preparer's signature ▶	Date	Check if self-employed ▶ ☐	● Preparer's SSN/PTIN
	Firm's name (or yours, if self-employed) and address ▶			● FEIN
				● Telephone ( )

Schedule A **Taxes Deducted.** Use additional sheet(s) if necessary.

(a) Nature of tax	(b) Taxing authority	(c) Total amount	(d) Nondeductible amount
Total. Enter total of column (c) on Schedule F, line 17, and total of column (d) on Side 1, line 2 or line 3			

Schedule F **Computation of Net Income.** See instructions.

Income	1 **a)** Gross receipts or gross sales_____ **b)** Less returns and allowance_____ **c)** Balance	1c	
	2 Cost of goods sold. Attach federal Schedule A (California Schedule V)	2	
	3 Gross profit. Subtract line 2 from line 1c	3	
	4 Total dividends. Attach federal Schedule C, California Schedule H (100)	4	
	5 **a)** Interest on obligations of the United States and U.S. instrumentalities	5a	
	b) Other interest. Attach schedule	5b	
	6 Gross rents	6	
	7 Gross royalties	7	
	8 Capital gain net income. Attach federal Schedule D (California Schedule D)	8	
	9 Ordinary gain (loss). Attach federal Form 4797 (California Schedule D-1)	9	
	10 Other income (loss). Attach schedule	10	
	11 **Total income.** Add line 3 through line 10	11	
Deductions	12 Compensation of officers. Attach federal Schedule E or equivalent schedule	12	
	13 Salaries and wages (not deducted elsewhere)	13	
	14 Repairs	14	
	15 Bad debts	15	
	16 Rents	16	
	17 Taxes (California Schedule A)	17	
	18 Interest. Attach schedule	18	
	19 Contributions. Attach schedule	19	
	20 Depreciation. Attach federal Form 4562 and FTB 3885 — 20		
	21 Less depreciation claimed elsewhere on return — 21a	21b	
	22 Depletion. Attach schedule	22	
	23 Advertising	23	
	24 Pension, profit-sharing plans, etc.	24	
	25 Employee benefit plans	25	
	26 **a)** Total travel and entertainment_____ **b)** Deductible amounts	26b	
	27 Other deductions. Attach schedule	27	
	28 Specific deduction for 23701r or 23701t organizations. See instructions	28	
	29 **Total deductions.** Add line 12 through line 28	29	
	30 Net income before state adjustments. Subtract line 29 from line 11. Enter here and on Side 1, line 1	30	

Schedule J **Add-On Taxes and Recapture of Tax Credits.** See instructions.

1 LIFO recapture due to S corporation election, IRC Sec. 1363(d) deferral: $_____	1	
2 Interest computed under the look-back method for completed long-term contracts (Attach form FTB 3834)	2	
3 Interest on tax attributable to installment: **a** Sales of certain timeshares and residential lots	3a	
b Method for nondealer installment obligations	3b	
4 IRC Section 197(f)(9)(B)(ii) election	4	
5 Credit recapture name:_____	5	
6 Combine line 1 through line 5, revise Side 2, line 37 or line 38, whichever applies, by this amount. Write "Schedule J" to the left of line 37 or line 38	6	

Schedule V Cost of Goods Sold

1 Inventory at beginning of year	1		
2 Purchases	2		
3 Cost of labor	3		
4 a Additional IRC Section 263A costs. Attach schedule	4a		
b Other costs. Attach schedule	4b		
5 Total. Add line 1 through line 4b	5		
6 Inventory at end of year	6		
7 Cost of goods sold. Subtract line 6 from line 5. Enter here and on Schedule F, line 2	7		

Method of inventory valuation ▶ _____

Was there any change in determining quantities, costs of valuations between opening and closing inventory? If "Yes," attach an explanation ☐Yes ☐ No

Enter California seller's permit number, if any ▶ _____

Check if the LIFO inventory method was adopted this taxable year for any goods. If checked, attach federal Form 970 ☐

If the LIFO inventory method was used for this taxable year, enter the amount of closing inventory under LIFO_____

Do the rules of IRC Section 263A (with respect to property produced or acquired for resale) apply to the corporation? ☐ Yes ☐ No

The corporation may not be required to complete Schedules L, M-1 and M-2. See Schedule M-1 instructions for reporting requirements.

Schedule L Balance Sheet	Beginning of taxable year		End of taxable year	
Assets	(a)	(b)	(c)	(d)
1 Cash				
2 a Trade notes and accounts receivable				
b Less allowance for bad debts	( )		( )	
3 Inventories				
4 Federal and state government obligations				
5 Other current assets. Attach schedule(s)				
6 Loans to stockholders/officers. Attach schedule				
7 Mortgage and real estate loans				
8 Other investments. Attach schedule(s)				
9 a Buildings and other fixed depreciable assets				
b Less accumulated depreciation	( )		( )	
10 a Depletable assets				
b Less accumulated depletion	( )		( )	
11 Land (net of any amortization)				
12 a Intangible assets (amortizable only)				
b Less accumulated amortization	( )		( )	
13 Other assets. Attach schedule(s)				
14 **Total assets**				
Liabilities and Stockholders' Equity				
15 Accounts payable				
16 Mortgages, notes, bonds payable in less than 1 year				
17 Other current liabilities. Attach schedule(s)				
18 Loans from stockholders				
19 Mortgages, notes, bonds payable in 1 year or more				
20 Other liabilities. Attach schedule(s)				
21 Capital stock: a Preferred stock				
b Common stock				
22 Paid-in or capital surplus. Attach reconciliation				
23 Retained earnings – Appropriated. Attach schedule				
24 Retained earnings – Unappropriated				
25 Adjustments to shareholders' equity. Attach schedule				
26 Less cost of treasury stock		( )		( )
27 **Total liabilities and stockholders' equity**				

Schedule M-1 **Reconciliation of income (loss) per books with income (loss) per return.**
If the corporation **completed** federal **Schedule M-3 (Form 1120),** see instructions.

1 Net income per books		**7** Income recorded on books this year not included in this return (itemize)	
2 Federal income tax		**a** Tax-exempt interest $	
3 Excess of capital losses over capital gains			
4 Taxable income not recorded on books this year (itemize)			
5 Expenses recorded on books this year not deducted in this return (itemize)		**8** Deductions in this return not charged against book income this year (itemize)	
a Depreciation $		**a** Depreciation $	
b State taxes $		**b** State tax refunds $	
c Travel and entertainment $			
6 Total. Add line 1 through line 5		**9** Total. Add line 7 and line 8	
		10 Net income per return. Subtract line 9 from line 6	

Schedule M-2 **Analysis of unappropriated retained earnings per books** (Schedule L, line 24)

1 Balance at beginning of year		**5** Distributions: **a** Cash	
2 Net income per books		**b** Stock	
3 Other increases (itemize)		**c** Property	
		6 Other decreases (itemize)	
4 Total. Add line 1 through line 3		**7** Total. Add line 5 and line 6	
		8 Balance at end of year. Subtract line 7 from line 4	

Schedule D **California Capital Gains and Losses**

Part I **Short-Term Capital Gains and Losses – Assets Held One Year or Less.** Use additional sheet(s) if necessary.

	(a) Kind of property and description (Example, 100 shares of Z Co.)	(b) Date acquired (mo., day, yr.)	(c) Date sold (mo., day, yr.)	(d) Gross sales price	(e) Cost or other basis plus expense of sale	(f) Gain (loss) (d) less (e)
1						

2 Short-term capital gain from installment sales from form FTB 3805E, line 26 or line 37	**2**	
3 Unused capital loss carryover from 2005	**3**	
4 Net short-term capital gain (loss). Combine line 1 through line 3	**4**	

Part II **Long-Term Capital Gains and Losses – Assets Held More Than One Year.** Use additional sheet(s) if necessary.

5					

6 Enter gain from Schedule D-1, line 9 and/or any capital gain distributions	**6**	
7 Long-term capital gain from installment sales from form FTB 3805E, line 26 or line 37	**7**	
8 Net long-term capital gain (loss). Combine line 5 through line 7	**8**	
9 Enter excess of net short-term capital gain (line 4) over net long-term capital loss (line 8)	**9**	
10 Net capital gain. Enter excess of net long-term capital gain (line 8) over net short-term capital loss (line 4)	**10**	
11 Total lines 9 and 10. Enter here and on Form 100, Side 1, line 5. **Note:** If losses exceed gains, carry forward losses to 2007	**11**	

CREDIT NAME	CODE	DESCRIPTION
Current Credits		
Community Development Financial Institution Deposits – Obtain certification from: CALIFORNIA ORGANIZED INVESTMENT NETWORK (COIN) DEPARTMENT OF INSURANCE 300 CAPITOL MALL, SUITE 1600 SACRAMENTO CA 95814 **www.insurance.ca.gov**	209	20% of qualified investments made into a community development financial institution
Disabled Access for Eligible Small Businesses – FTB 3548	205	Similar to the federal credit, but limited to $125 per eligible small business, and based on 50% of qualified expenditures that do not exceed $250
Donated Agricultural Products Transportation – FTB 3547	204	50% of the costs paid or incurred for the transportation of agricultural products donated to nonprofit charitable organizations
Employer Child Care Contribution – FTB 3501	190	Employer: 30% of contributions to a qualified plan
Employer Child Care Program – FTB 3501	189	Employer: 30% of the cost of establishing a child care program or constructing a child care facility
Enhanced Oil Recovery – FTB 3546	203	1/3 of the similar federal credit but limited to qualified enhanced oil recovery projects located within California
Enterprise Zone Hiring & Sales or Use Tax – FTB 3805Z	176	Business incentives for trade or business activities conducted within an enterprise zone
Environmental Tax – FTB 3511	218	Five cents ($.05) for each gallon of ultra low sulfur diesel fuel produced during the taxable year by a small refiner at any facility located in this state
Farmworker Housing – Construction Farmworker Housing – Loan Obtain certification from: FARMWORKER HOUSING ASSISTANCE PROGRAM, CALIFORNIA TAX CREDIT ALLOCATION COMMITTEE 915 CAPITOL MALL, ROOM 485 SACRAMENTO CA 95814 **www.treasurer.ca.gov**	207 208	50% of qualified costs paid or incurred to construct or rehabilitate qualified farmworkers housing Banks and financial corporations: 50% of foregone interest income on qualified farmworker housing loans
Joint Strike Fighter Wage – FTB 3534	215	**EXPIRED** — form available for carryover and recapture only
Joint Strike Fighter Property – FTB 3534	216	**EXPIRED** — form available for carryover and recapture only
Local Agency Military Base Recovery Area Hiring & Sales or Use Tax – FTB 3807	198	Business incentives for trade or business activities conducted within a local agency military base recovery area
Low-Income Housing – FTB 3521	172	Similar to the federal credit but limited to low-income housing in California
Manufacturing Enhancement Area – FTB 3808	211	Hiring Credit for Manufacturing Enhancement Area
Natural Heritage Preservation – FTB 3503	213	55% of the fair market value of the qualified contribution of property donated to the state, any local government, or any nonprofit organization designated by a local government
Prior Year Alternative Minimum Tax – FTB 3510	188	Must have paid alternative minimum tax in a prior year and have no alternative minimum tax liability in the current year
Prison Inmate Labor – FTB 3507	162	10% of wages paid to prison inmates
Research – FTB 3523	183	Similar to the federal credit but limited to costs for research activities in California
Rice Straw Obtain certification from: DEPARTMENT OF FOOD AND AGRICULTURE 1220 N STREET, ROOM 140 SACRAMENTO CA 95814 **www.cdfa.ca.gov**	206	$15 per ton of rice straw grown in California
Solar or Wind Energy System – FTB 3508	217	**EXPIRED** — form available for carryover and recapture only
Targeted Tax Area Hiring & Sales or Use Tax – FTB 3809	210	Business incentives for trade or business activities conducted within a targeted tax area

Repealed Credits with Carryover Provisions: The expiration dates for these credits have passed. However, these credits had carryover provisions. The corporation may claim these credits if there is a carryover available from prior years. If the corporation is not required to complete Schedule P (100), get form FTB 3540, Credit Carryover Summary, to figure the credit carryover to future years.

Agricultural Products	175	Energy Conservation	182	Ridesharing	171
Commercial Solar Electric System	196	Los Angeles Revitalization Zone Hiring & Sales or Use Tax	159	Salmon & Steelhead Trout Habitat Restoration	200
Commercial Solar Energy	181	Low-Emission Vehicles	160	Solar Energy	180
Contribution of Computer Software	202	Manufacturers' Investment	199	Solar Pump	179
Employee Ridesharing – Large employer	191	Orphan Drug	185	Technology Property Contributions	201
Employer Ridesharing – Small employer	192	Recycling Equipment	174		
Employer Rideshare – Transit	193				

2006 Dividend Income Deduction H (100)

See instructions for Schedule H (100). Use and attach additional sheets if necessary.

Part I Elimination of Intercompany Dividends (R&TC Section 25106)

(a) Dividend payer	(b) Dividend payee	(c) Total amount of dividends received	(d) Amount that qualifies for 100% elimination	(e) Amount from column (d) paid out of current year E&P	(f) Amount from column (d) paid out of prior year E&P	(g) Balance column (c) minus column (d)
1						
2						
3						
4						
5						
6						
7 Total amounts in each column. Enter total from column (d) on Form 100, Side 1, line 10						

Part II Deduction for Dividends Paid to a California Corporation by an Insurance Company (R&TC Section 24410)

(a) Dividend payer	(b) Dividend payee	(c) Percentage of ownership of dividend payer (must be at least 80%)	(d) Total insurance dividends received	(e) Qualified dividend percentage (see instructions)	(f) Amount of qualified insurance dividends	(g) Deductible dividends 80% of column (f)
1						
2						
3						
4						
5						
6						
7 Total amounts in column (g). Enter total from column (g) on Form 100, Side 1, line 11						

Instructions for Schedule H (100)

Dividend Income Deduction

Important Information

Revenue and Taxation Code (R&TC) Section 24410 was repealed and re-enacted to allow a "Dividends Received Deduction" for qualified dividends received from an insurer subsidiary. The deduction is allowed whether or not the insurer is engaged in business in California, if at the time of each payment, at least 80% of each class of stock of the insurer was owned by the corporation receiving the dividend. For taxable years beginning on or after January 1, 2004, and before January 1, 2008, an 80% deduction is allowed for qualified dividends. For taxable years beginning on or after January 1, 2008, the deduction is increased to 85%. A portion of the dividends may not qualify if the insurer subsidiary paying the dividend is overcapitalized for the purpose of the dividends received deduction. See the Schedule H (100), Specific Line Instructions, Part II, for more information.

In *Farmer Bros. Co. v. Franchise Tax Board* (2003) 108 Cal App 4th, 134 Cal Rptr. 2nd 390, the California Court of Appeal found that the R&TC Section 24402 deductible dividend provision discriminated against interstate commerce in violation of the Commerce Clause of the United States Consitution. R&TC Section 24402 provided for a deduction to the extent that the dividend payer was taxable in California. A statute that is held to be unconstitutional is invalid and unenforceable. Therefore, the deduction is not available.

Specific Instructions

A corporation may eliminate or deduct dividend income when certain requirements are met. The available eliminations or deductions are described below.

Part I – Intercompany Dividends
A corporation may eliminate dividends received from unitary subsidiaries but only to the extent that the dividends are paid from unitary earnings and profits accumulated while both the payee and payer were members of the combined report, R&TC Section 25106.

Complete Schedule H (100), Part I and enter the total of column (d) on Form 100, Side 1, line 10.

Part II – Dividends Received Deduction
R&TC Section 24410 provides that a corporation that owns 80% or more of each class of stock of an insurer is entitled to 80% dividends received deduction for qualified dividends received from that insurer. The deduction would be allowed regardless of whether the insurer does business in California. The 80% deduction applies to taxable years beginning on or after January 1, 2004, and increases to 85% for taxable years beginning on or after January 1, 2008.

The amount of the dividends that qualify for the dividends received deduction is the total amount of dividends received from that insurer, multiplied by the insurer's qualified dividend percentage. The qualified dividend percentage is determined under R&TC Section 24410(c).

To complete Part II:

1. Fill in columns (a) through (c).
2. Enter in column (d) the total amount of insurance dividends received.
3. Enter the qualified dividend percentage in column (e).
4. Multiply the amount in column (d) by the qualified dividend percentage in column (e) and enter that amount in column (f).
5. Multiply the amount in column (f) by 80% and enter the result in column (g).
6. Total the amounts on Schedule H (100), Part II, column (g), line 7. Enter the amount from Part II, column (g), line 7 on Form 100, Side 1, line 11.

The calculation of the qualified dividend percentage should be presented in a supplemental schedule that is attached to the taxpayer's return. That schedule should identify the amount of the net written premiums for all the insurance companies in the commonly controlled group for the preceding five years (including an identification of property/casualty premiums, life insurance premiums, and financial guarantee premiums), the relative weight given to each class of net written premiums, and the total income of the insurance companies in the commonly controlled group (including premium and investment income for the preceding five years). For further information, see R&TC Section 24410.

TAXABLE YEAR **2006**

Alternative Minimum Tax and Credit Limitations — Corporations

CALIFORNIA SCHEDULE **P (100)**

Attach to Form 100.

Corporation name | California corporation number

Part I Tentative Minimum Tax (TMT) and Alternative Minimum Tax (AMT) Computation

1 Net income (loss) after state adjustments. Enter the amount from Form 100, line 18; Schedule R, line 1c; or Form 109, the lessor of line 1 or line 2 1

2 **Adjustments.** See instructions

a Depreciation of tangible property placed in service after 1986 . . . . . 2a

b Amortization of certified pollution control facilities placed in service after 1986 . . . . . 2b

c Amortization of mining exploration and development costs incurred after 1987 . . . . . 2c

d Basis adjustments in determining gain or loss from sale or exchange of property 2d

e Long-term contracts entered into after February 28, 1986 . . . . . 2e

f Installment sales of certain property 2f

g Tax shelter farm activities (personal service corporations only) 2g

h Passive activities (closely held corporations and personal service corporations only) 2h

i Certain loss limitations 2i

j Beneficiaries of estates and trusts. Enter the amount from Schedule K-1 (541), line 8 . . . . 2j

k Merchant marine capital construction funds 2k

l Combine line 2a through line 2k 2l

3 **Tax preference items.** See instructions

a Depletion 3a

b Intangible drilling costs 3b

c Accelerated depreciation of real property placed in service before 1987 . . . . . 3c

d Amortization of certified pollution control facilities placed in service before 1987 . . . . . 3d

e Charitable contributions including appreciated property. See instructions 3e

f Add line 3a through line 3e 3f

4 **Pre-adjustment alternative minimum taxable income (AMTI):**

a Combine line 1, line 2l, and line 3f 4a

b **Apportioned pre-adjustment AMTI.** If income is derived from sources both within and outside of California, see instructions. Otherwise, enter amount from line 4a 4b

5 **Adjusted current earnings (ACE) adjustment:**

a Enter ACE. See instructions 5a

b **Apportioned ACE.** If income is derived from sources both within and outside of California, see instructions. Otherwise, enter amount from line 5a 5b

c Subtract line 4b from line 5b (even if one or both of the figures are negative). If negative, use brackets 5c

d Multiply line 5c by 75% (.75) and enter the result as a positive number 5d

e Enter the excess, if any, of the corporation's total increases in AMTI from prior year ACE adjustments over its total reductions in AMTI from prior year ACE adjustments. **Note:** Enter an amount on line 5e (even if line 5c is positive) 5e

f **ACE adjustment:**

- If line 5c is a positive amount or zero, enter the amount from line 5d on line 5f as a positive amount.
- If line 5c is a negative amount, enter the smaller of line 5d or line 5e on line 5f as a negative amount 5f

6 Combine line 4b and line 5f. If zero or less, enter -0- 6

7 a Reduction for disaster loss carryover deduction, if any, from Form 100, line 22 . . . . . 7a

b AMT net operating loss (NOL) deduction. See instructions 7b

c Combine line 7a and line 7b 7c

8 AMTI. Subtract line 7c from line 6 8

9 Enter $40,000 exemption. See instructions 9

10 Enter $150,000 limitation. See instructions 10

11 Subtract line 10 from line 8. If zero or less, enter -0- 11

12 Multiply line 11 by 25% (.25) 12

13 Exemption. Subtract line 12 from line 9. If zero or less, enter -0- 13

14 Subtract line 13 from line 8. If zero or less, enter -0- 14

15 Multiply line 14 by 6.65% (.0665) 15

16 Banks and financial corps. Multiply Form 100, line 23, by 2.00% (.0200). See instructions 16

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Part I **Tentative Minimum Tax (TMT) and Alternative Minimum Tax (AMT) Computation** (continued)

17	**TMT.** Add line 15 and line 16 from Side 1	17	
18	Regular tax before credits. Enter amount from Form 100, line 24 or Form 109, line 7. See instructions	18	
19	**AMT.** Subtract line 18 from line 17. If zero or less, enter -0-. See instructions	19	

Part II **Credits that Reduce Tax**

1	Regular tax from Form 100, line 24 or Form 109, line 7	1	
2	Tentative minimum tax (before credits) from Part I, line 17 (but not less than the minimum franchise tax, if applicable)	2	

		(a) Credit amount	(b) Credit used this year	(c) Tax balance that may be offset by credits	(d) Credit carryover
Section A – Credits that reduce excess regular tax.					
3 Subtract line 2 from line 1. If zero or less, enter -0- and see instructions. This is your excess regular tax which may be offset by credits	3				
A1 Credits that reduce excess regular tax and have no carryover provisions.					
4 Code: 162 Prison inmate labor credit	4				
A2 Credits that reduce excess regular tax and have carryover provisions. See instructions.					
5 Code: ___ ___ ___ Credit Name:	5				
6 Code: ___ ___ ___ Credit Name:	6				
7 Code: ___ ___ ___ Credit Name:	7				
8 Code: ___ ___ ___ Credit Name:	8				
9 Code: 188 Credit for prior year alternative minimum tax from Part III, line 3	9				
Section B – Credits that may reduce regular tax below tentative minimum tax.					
10 If Part II, line 3 is zero, enter the amount from line 1 minus the minimum franchise tax, if applicable. If line 3 is more than zero, enter the total of Part II, line 2, minus the minimum franchise tax, if applicable, plus line 9, column (c) or the last entry in column (c)	10				
B Credits that reduce net tax and have carryover provisions. See instructions.					
11 Code: ___ ___ ___ Credit Name:	11				
12 Code: ___ ___ ___ Credit Name:	12				
13 Code: ___ ___ ___ Credit Name:	13				
14 Code: ___ ___ ___ Credit Name:	14				
Section C – Credits that may reduce alternative minimum tax.					
15 Enter your alternative minimum tax from Part I, line 19	15				
16 Code: 180 Solar energy credit carryover from Section B, column (d)	16				
17 Code: 181 Commercial solar energy credit carryover from Section B, column (d)	17				
18 Adjusted AMT. Enter the balance from line 17, column (c) here and on Form 100, line 30 or Form 109, Side 1, line 19	18				

Part III **Credit for Prior Year AMT**

1	Enter the alternative minimum tax from the 2005 Schedule P (100), Part I, line 19. See instructions	1	
2	Carryover of unused credit for prior year alternative minimum tax. See instructions	2	
3	Total available credit. Add line 1 and line 2. See instructions	3	

Instructions for Schedule P (100)

Alternative Minimum Tax and Credit Limitations — Corporations

References in these instructions are to the Internal Revenue Code (IRC) as of **January 1, 2005,** and to the California Revenue and Taxation Code (R&TC).

Important Information

In general, California law conforms to the Internal Revenue Code (IRC) as of January 2005. However, there are continuing differences between California and federal law. When California conforms to federal tax law changes, we do not always adopt all of the changes made at the federal level. For more information regarding California and federal law, go to our Website at **www.ftb.ca.gov** and search for **conformity**. Additional information can be found in FTB Pub. 1001, Supplemental Guidelines to California Adjustments, the instructions for California Schedule CA (540 or 540NR), and the Business Entity tax booklets.

Note, the instructions provided with California tax forms are a summary of California tax law and are only intended to aid taxpayers in preparing their state income tax returns. We include information that is most useful to the greatest number of taxpayers in the limited space available. It is not possible to include all requirements of the California Revenue and Taxation Code (R&TC) in the tax booklets. Taxpayers should not consider the tax booklets as authoritative law.

For taxable years beginning on or after January 1, 2002, the credit for prior year alternative minimum tax (AMT) has to be applied before any credits that can reduce the regular tax below the tentative minimum tax (TMT) in accordance with R&TC Section 23036 (c).

California law conforms to federal law regarding:

- The contribution deduction in excess of adjusted basis for appreciated property.
- Large banks' bad-debt losses deduction, which is limited to the actual losses rather than contributions to a reserve for bad debts.
- The removal of the adjusted current earnings (ACE) depreciation adjustment.
- The use of the same depreciation recovery periods for regular tax and AMT for property placed in service after December 31, 1998.
- The repeal of the installment method AMT adjustment for farmers. Farmers are allowed to use the installment method of accounting for purposes of AMT for payments received in taxable years beginning on or after January 1, 1997, for installment sales related to the sale or disposition of farm property made in taxable years beginning on or after January 1, 1988.
- The treatment of merchant marine capital construction account funds as an adjustment item for AMT.

California does not conform to the following federal AMT provisions:

- The elimination of AMT for small businesses.

Note: These lists are not intended to be all-inclusive of the federal and state conformities and differences. For more information, please refer to California R&TC.

General Information

Unless stated otherwise, the term "corporation" as used in Schedule P (100) and in these instructions, includes banks, financial corporations, limited liability companies (LLCs) classified as corporations, and exempt organizations other than exempt trusts, but not S corporations.

California tax laws give special treatment to some types of income and allow special deductions and credits for some types of expenses. Corporations that benefit from these laws may have to pay AMT in addition to the minimum franchise tax.

Use this schedule to calculate AMT and to figure credits that are limited by the TMT or that may reduce AMT.

See IRC Sections 55 through 59 for more information on figuring AMT. But note that R&TC Sections 23455, 23456, 23457, and 23459 modify IRC Sections 55 through 59.

Who Must File. Corporations should file Schedule P (100) if the sum of: AMT adjustments, preference items, loss denials, other items as specified under IRC Section 59, and state net income exceeds $40,000. Exempt organizations, other than exempt trusts with unrelated business income, should file Schedule P (100) if the sum of: AMT adjustments, preference items, loss denials, items specified under IRC Section 59, and state net unrelated business taxable income exceeds $40,000. Exempt trusts should use Schedule P (541), Alternative Minimum Tax and Credit Limitations – Fiduciaries.

In addition, if the corporation claims credits that are limited by TMT (Part I, line 17), or if the corporation claims credits that reduce the AMT (Part I, line 19), the corporation must file Schedule P (100).

Members of a Combined Report. Alternative minimum taxable income (AMTI) and ACE are apportioned and allocated to California and to each taxpayer in the same manner as net income for purposes of regular tax. A separate AMT calculation is required for each member of a combined report. Complete a separate Schedule P (100), Side 1 and Side 2, for each taxpayer included in the combined report. Attach the Schedule P (100) for each taxpayer member in the combined report behind the combined Schedule P (100) for all members. See instructions for Part I, line 4b, line 5a, line 5b, line 5e, line 7b, line 9, and line 10.

Short Period Return. For a short-period return, use the formula in IRC Section 443(d) to determine AMTI and AMT.

Credit for Prior Year AMT. If the corporation paid AMT for 2005 or has a carryover of credit for prior year AMT and has no AMT liability for 2006, the corporation may use this credit in 2006 to reduce its regular tax liability. Complete Part III to figure this credit.

Specific Line Instructions

Part I — Tentative Minimum Tax (TMT) and Alternative Minimum Tax (AMT) Computation

Line 1- Net income (loss) after state adjustments

Enter the amount from Form 100, line 18 or Form 109, the lessor of line 1 or line 2. If the corporation filed a Schedule R with the return, enter the amount from line 1c of Schedule R.

Line 2a – Depreciation of tangible property placed in service after 1986 and before 1999

Do not include depreciation adjustments attributable to a tax shelter farm activity or a passive activity on this line. Instead, include the adjustment on line 2g or line 2h.

Refigure the depreciation as follows: For property other than real property and property on which the straight-line method was used, use the 150% declining balance method, switching to straight-line for the first taxable year in which that method will give a higher depreciation deduction. Use the same life classes as used on the federal Form 4626, Alternative Minimum Tax – Corporations. For personal property having no asset depreciation range (ADR) class life, use 12 years. For residential rental and nonresidential real property, use the straight-line method over 40 years. Determine the depreciation adjustment by subtracting the recomputed depreciation from the California depreciation on form FTB 3885, Corporation Depreciation and Amortization. Enter the difference on this line.

If the corporation elected to depreciate a grapevine that was replanted in a vineyard as a result of phylloxera or Pierce's disease infestation over 5 years instead of 20 years for regular tax, it must depreciate the grapevine over 10 years for AMT.

Depreciation that is capitalized to inventory under the uniform capitalization rules must be refigured using the rules described above.

Note: Include on this line any differences between regular and AMT depreciation (ex: Section 179 depreciation differences).

Line 2b – Amortization of certified pollution control facilities

For any certified pollution control facility placed in service in California after 1986 and before 1999, the five-year depreciation method available for such facilities for regular tax purposes must be replaced for AMT purposes by the alternative depreciation system specified under IRC Section 168(g)

(straight-line method, without regard to salvage value). A facility placed in service after 1998 is depreciated using the IRC Section 168 straight-line method.

Line 2c – Amortization of mining exploration and development costs incurred after 1987
If the corporation elected the optional ten-year write-off under IRC Section 59(e) for all assets in this category, skip this line.

With respect to each mine or other natural deposit, (other than an oil, gas, or geothermal well) refigure the expenses before the 30% reduction under IRC Section 291(b) by amortizing them over ten years beginning with the year in which the expenses were paid or incurred. Figure the adjustment by subtracting the refigured amount from the deduction taken under IRC Section 616(a) or 617(a) after the 30% reduction. Enter the amount on this line. If a loss resulted with respect to those expenses, see IRC Section 56(a)(2)(B).

Line 2d – Basis adjustments in determining gain or loss from sale or exchange of property
If the corporation disposed of property during the year, refigure the gain or loss from such sale taking into account the AMT adjustments on line 2a through line 2c. Enter the difference between the gain or loss reported for regular tax and the recomputed gain or loss. If the recomputed gain is less, or the loss is more, enter the difference as a negative amount. Otherwise, enter a positive amount.

Line 2e – Long-term contracts entered into after February 28, 1986
If the corporation entered into a long-term contract after February 28, 1986, determine the taxable income from the contract under the percentage of completion method of accounting as modified by IRC Section 460(b) and R&TC Section 24673.2 using AMT adjustments and tax preference items.

Determine the difference between that result and the amount determined for the contract in figuring the regular tax and enter the difference on this line. If the refigured taxable income is less than the result when determining the regular tax, enter the difference as a negative amount.

California has conformed to IRC Section 460(b)(2). This section requires the taxpayer to "look-back" to previous years during which the contract work for certain contracts was in progress. The taxpayer must compute interest on the difference between the tax that was actually paid and the tax that would have been paid if the taxpayer had known the actual contract prices and costs that would finally result.

Get form FTB 3834, Interest Computation Under the Look-Back Method for Completed Long-Term Contracts, to figure the interest due or to be refunded under the "look-back method."

Line 2f – Installment sales of certain property
For regular tax purposes, corporations may use the installment method of accounting for sales of certain property. For AMT, corporations may not determine income from dispositions of inventory or other property described in IRC Section 1221(1) using the installment method, except for certain dispositions of timeshares or residential lots, if the corporation elected to pay interest under IRC Section 453(l)(2)(B) (R&TC Section 24667).

If the corporation used the installment method for regular tax purposes, but was required for AMT purposes to report the entire gain in the year of disposition, the corporation may have adjustments with respect to those dispositions. Enter on this line as a negative amount the current year income the corporation reported for regular tax.

Farmers that received payments for a taxable year beginning on or after January 1, 1997, for qualified installment sales made in taxable years beginning on or after January 1, 1988, do not need to make an adjustment on this line.

Line 2g – Tax shelter farm activities (personal service corporations only)

Caution: To avoid duplication, if the corporation included AMT adjustments or tax preference items on this line, do not include them on any other line of this schedule.

Complete this line only if the corporation has a gain or loss from a tax shelter farm activity, as defined in IRC Section 58(a)(2), that is not a passive activity. If the tax shelter farm activity is a passive activity, the corporation must include the gain or loss with its other passive activities on line 2h.

Refigure all gains and losses reported for regular tax purposes from tax shelter farm activities using the AMT adjustments and tax preference items.

Figure the tax shelter farm activity gain or loss for AMT using the same rules the corporation used for regular tax except:

- Do not take any refigured loss unless the corporation is insolvent. See IRC Section 58(c)(1); and
- Do not offset gains from other tax shelter activities with any refigured loss.

Instead, suspend and carry over the loss to future taxable years until:

- The corporation has a gain in a future taxable year from that same tax shelter farm activity; or
- The corporation disposes of the activity.

Enter on this line the difference between the AMT tax shelter farm loss and the regular tax shelter farm loss.

Line 2h – Passive activities (closely held corporations and personal service corporations only)

Caution: To avoid duplication, if the corporation included AMT adjustments or tax preference items on this line, do not include them on any other line of this schedule.

Corporations may enter two kinds of adjustments on this line:

Regular passive activities. Refigure passive activity gains and losses for AMT by taking into account all AMT adjustments, tax preference items and AMT prior year unallowed losses that apply to the passive activity.

Tax shelter passive farm activities. Refigure any gain or loss from a tax shelter passive farm activity taking into account all AMT adjustments, tax preference items, and AMT prior year unallowed losses. If the amount is a gain, it may be included on form FTB 3802, Corporate Passive Activity Loss and Credit Limitations, but if it is a loss, the adjustment for tax shelter passive farm activity is the loss the corporation reported for regular tax. The AMT loss carryover is the refigured AMT loss.

Note: If, at the end of the taxable year, the corporation's liabilities exceed the fair market value of the corporation's assets (insolvency), increase the passive activity loss allowed by that excess (but not more than the total loss). See IRC Section 58(c)(1).

Line 2i – Certain loss limitations
Refigure the allowable losses from at-risk activities and basis limitations applicable to partnerships, taking into account the AMT adjustments and tax preference items. See IRC Sections 59(h), 465, and 704(d). If the refigured loss is more than the loss reported for purposes of the regular tax, enter on this line as a negative amount the difference between the loss reported on the tax return for purposes of the regular tax and the refigured loss.

Line 2k – Merchant marine capital construction funds
Amounts deposited in these funds are not deductible for AMT. Earnings on these funds are not excludable from gross income for AMT. If the corporation deducted these amounts or excluded them from income for regular tax, add them back on line 2k.

Tax Preference Items

Line 3a – Depletion
In the case of mines, wells, and other natural deposits, enter the amount by which the deduction for depletion under IRC Section 611 is more than the adjusted basis of the property at the end of the corporation's taxable year. Figure the adjusted basis without regard to the depletion deduction and figure the excess separately for each property.

California conformed in 1993 to the federal repeal of the AMT depletion adjustment for independent oil and gas producers and royalty owners. See federal Form 4626, Alternative Minimum Tax, Corporations. However, your California depletion costs may continue to be different from the federal amounts because of prior differences in law and differences in basis.

See IRC Section 291(a)(2) for reduction in the amount allowable as a deduction in the case of iron ore and coal.

Line 3b – Intangible drilling costs
If the corporation elected the optional 60-month write-off under IRC Section 59(e) for all property in this category, skip this line.

Enter the amount by which excess intangible drilling costs exceed 65% of net income from oil, gas, and geothermal properties.

Figure excess intangible drilling costs as follows: From the intangible drilling and development costs allowable under

IRC Section 263(c) or 291(b) (except costs in drilling a nonproductive well), subtract the amount that would have been allowable if these costs had been capitalized and either amortized over 120 months starting when production began or treated according to an election made under IRC Section 57(b)(2).

Net income from oil, gas, and geothermal properties is gross income from them, minus the deductions allocable to them, except for excess intangible drilling costs and nonproductive well costs.

Figure the line 3b amount separately for oil and gas properties that are not geothermal deposits and for oil and gas properties that are geothermal deposits.

Note: California conformed in 1993 to the limited federal repeal of intangible drilling costs preferences for independent producers. California now conforms to the limit on the benefit of the exclusion of the preference for intangible drilling costs of 40% of AMTI. See the instructions for federal Form 4626. Also, note that your intangible drilling costs amounts may differ from federal amounts because of prior differences in the law.

Line 3c – Accelerated depreciation of real property placed in service before 1987
Enter on this line, but not less than zero, the difference between the depreciation taken for this property in determining the regular tax and depreciation as refigured using the straight-line method. Figure this amount separately for each property and include only positive adjustments. Use the straight-line method over the life of the property using the half-year convention and no salvage value.

Line 3d – Amortization of certified pollution control facilities placed in service before 1987
For any certified pollution control facility in California placed in service before 1987 (or before August 1, 1986, if an election was made), figure the amount by which the amortization allowable under IRC Section 169 is more than the depreciation deduction otherwise allowable. Before figuring this tax preference item, reduce the amortizable basis by 20% (15% if the facility was placed in service in 1983 or 1984, 0% if placed in service before 1983), as required under IRC Section 291. Multiply the difference above by 59.6% (71.6% if the facility was placed in service in 1983 or 1984, 100% if placed in service before 1983). Enter only positive amounts.

Line 3e – Charitable contributions including appreciated property
Enter on this line the difference between the charitable contributions deduction allowed for AMT purpose and the deduction allowed for regular tax purpose. Use only income and deductions allowed for AMT purposes when refiguring the limit based on taxable income under IRC Section 170(b)(2).

Also, for taxable years prior to January 1, 2002, California did not conform to the federal treatment of contributions of appreciated property for AMT. As a result, all carryovers from these contributions are still:

- Limited to the cost or other basis for any contribution in excess of adjusted basis, and
- Treated as an AMT preference item.

Line 4b – Apportioned pre-adjustment AMTI
For taxpayers required to apportion their income, pre-adjustment AMTI is apportioned and allocated to California in the same manner as net income for purposes of the regular tax. This may be done by transferring the amount from line 4a to Schedule R, Apportionment and Allocation of Income, line 1c. Refigure the Schedule R taking into account any AMT adjustments, then transfer the refigured net income from Schedule R, line 35 to Schedule P (100), line 4b.

For combined reports, each taxpayer's pre-adjustment AMTI is the sum of (1) that corporation's apportioned share of combined business pre-adjustment AMTI and (2) any of that corporation's nonbusiness California source pre-adjustment AMTI. For additional guidance in making these computations, get FTB Pub. 1061, Guidelines for Corporations Filing a Combined Report.

Line 5a – ACE
If this schedule is for a regulated investment company or a real estate investment trust, skip this line.

The ACE is the pre-adjustment AMTI from line 4a with additional adjustments. California's ACE adjustment generally follows the federal ACE adjustment rules in IRC Section 56(g). To compute the California ACE, the federal ACE worksheet included in the instructions for the federal Form 4626 can be used by taking into account the modifications of R&TC Sections 23456 (e) and (f), if applicable. For example:

Taxes. Taxes on, according to, or measured by income are not deductible from earnings and profits (E&P). Foreign taxes on, according to, or measured by income are not deductible even though a foreign tax credit is not taken for federal purposes. Environmental taxes imposed by IRC Section 59A are not deductible from E&P.

Depreciation and amortization. For property placed in service on or after January 1, 1981, and before January 1, 1987, the amount allowable as depreciation or amortization must be determined using the straight-line method for each taxable year of useful life (determined without regard to R&TC Section 24354.2) that the corporation has held the property.

For property placed in service on or after January 1, 1987, and before January 1, 1990, the amount allowable as depreciation or amortization must be determined by using the state AMTI depreciable basis as of the close of the taxable year beginning before January 1, 1990, and applying IRC Section 168(g). For property placed in service in taxable years beginning on or after January 1, 1990, and before January 1, 1998, use the ADS described in IRC Section 168(g). For property placed in service in taxable years beginning on or after January 1, 1998, no ACE depreciation adjustment is necessary.

Dividends. Dividends deductible for regular California tax purposes are deductible from E&P.

The provision of IRC Section 56(g)(4)(C)(ii), for 100% dividend, does not apply.

The provisions of IRC Sections 56(g)(4)(C)(iii) and (iv), for dividends from IRC Section 936 companies and certain dividends received by certain cooperatives, do not apply.

Certain amortization provisions. IRC Section 56(g)(4)(D)(ii) was modified to specify that circulation expenditures under R&TC Section 24364 and organizational expenditures under R&TC Section 24407 do not apply to expenditures paid or incurred in taxable years beginning on or after January 1, 1990, for E&P calculations.

Interest income. For entities not subject to the minimum franchise tax, interest income included in E&P must not exceed the amount of interest income included for regular tax purposes.

Appropriate adjustments must be made to limit deductions from ACE for interest expense in accordance with the provisions of R&TC Sections 24344 and 24425.

Line 5b – Apportioned ACE
For apportioning taxpayers and members of a combined report, ACE is apportioned and allocated to California in the same manner as net income for purposes of the regular tax and AMTI (FTB Legal Ruling 94-3). The method described in the instructions for line 4b may be used to compute the California ACE.

Line 5e – Excess of AMTI increases over AMTI reductions from prior year ACE adjustments
For combined reports, each taxpayer corporation enters the excess of its prior year accumulated positive California ACE adjustments over its prior years accumulated negative California ACE adjustments.

Line 7a – If a disaster loss carryover is claimed in 2006, enter the amount on this line.

Line 7b – AMT net operating loss (NOL) deduction
For taxable years beginning on or after January 1, 2004, California has reinstated the NOL carryover deductions. For more information, see form FTB 3805Q, Net Operating Loss (NOL) Computation and NOL and Disaster Loss Limitations – Corporations.

The AMT Net Operating Loss is the NOL determined for regular tax except:

1. For any taxable year beginning before 1988, reduce the NOL amount by any preference items attributable to the deferred tax that has not been paid;
2. In the case of a loss year beginning after 1987, the NOL determined for regular tax for such year must be:
   (a) Reduced by the positive AMT adjustments and increased by the negative AMT adjustments; and
   (b) Reduced by the tax preference items (but only to the extent they increased the NOL as determined for regular tax);
3. Reduce the AMT NOL by any expired losses; and

4. The AMT NOL may not offset more than 90% of the AMTI, Part I, line 6. Enter on line 7b the smaller of the AMT NOL or 90% of the amount on line 6.

Taxpayers that are members of a unitary group filing a combined report must separately compute the NOL carryover and application of the NOL carryover for each corporation in the group (R&TC Section 25108). The amount carried over for AMT is likely to differ from the amount (if any) that is carried over for regular tax; therefore, it is essential that the corporation retain adequate records for both AMT and regular tax.

If the corporation had a loss from a farming business due to Pierce's disease or from a business activity within an enterprise zone, the former Los Angeles Revitalization Zone (LARZ), a Local Agency Military Base Recovery area (LAMBRA), or the Targeted Tax Area (TTA), get FTB 3805D, Pierce's Disease, FTB 3805Z, Enterprise Zone Business Booklet; FTB 3806, Los Angeles Revitalization Zone Booklet; FTB 3807, Local Agency Military Base Recovery Area Booklet; or FTB 3809, Targeted Tax Area Booklet.

Line 9 and Line 10 – The $40,000 exemption and the $150,000 limitation apply to each bank or corporation included in the combined report that has a filing requirement in California, to the extent that each bank or corporation has AMTI.

Line 16 – Banks and financial corporations
Corporations with negative or zero taxable income on Form 100, line 23, enter -0-.

Line 18 – Regular tax before credits
For installment obligations subject to IRC Section 453(l)(2)(B) (Timeshares and Residential Lots) and IRC Section 453A (Nondealer dispositions greater than $150,000), do not include tax increases for interest on the deferred tax liability.

Line 19 – AMT
If line 17 is more than zero and if the corporation has credits or credit carryovers, continue to Part II. Otherwise, stop here and enter the amount from line 19 on Form 100, line 30 or Form 109, line 19.

Part II — Credits that Reduce Tax

Complete Part II only if the corporation has tax credits.

Use Part II to determine:
- The amount of credit that may be used to offset tax;
- The tax that may be offset;
- The amount of credit, if any, that may be carried over to future years; and
- The order in which to claim credits, if the corporation has more than one credit to claim.

Note: Credits are applied against the tax on a separate entity basis. Unless otherwise provided by statutory authority, specific credit(s) are only available to the corporation that incurred the expense that generated the credits.

Before you begin Part II:
- Complete Form 100 through line 24.
- Figure the amount of credit(s) using a schedule or the credit form identified in the Credit Table on the next page. Be sure to attach the credit form or schedule to the tax return, if applicable.

To complete Part II:
- Complete line 1 through line 3 to figure the amount of excess tax the corporation may offset by credits.
- Identify in which section(s) of Part II the corporation may take tax credit(s). Credits without carryover provisions are listed on Schedule P (100) in Section A1 and may be taken only in that section. Credits with carryover provisions are listed on the Credit Table on the next page. The table identifies the section(s) of Part II in which the corporation may take these tax credits.
- If the corporation has credit(s) in Section B, be sure to complete line 10 in addition to the line(s) for the corporation's credit(s).
- Complete column (a) through column (d) for each line on which the corporation is taking a credit. Refer to "column instructions."
- Once the corporation has completed Part II, see "How to Claim Credits" on next page.

Column Instructions – In column:

(a) Enter the amount of credit available to offset tax;
(b) Figure the amount of credit the corporation is able to use this year by entering the smaller of the amount in column (a) or the amount in column (c) from the previous line;
(c) Figure the amount of tax remaining to be offset by other credits by subtracting the amount in column (b) from the balance in column (c) of the previous line; and
(d) Enter the amount of credit carryover available to use in future years by subtracting the amount in column (b) from the amount in column (a).

Section A — Credits that reduce excess regular tax

Section A Instructions

Line 3 – Subtract line 2 from line 1. If the amount is zero or less than zero, continue to Question 1. If the amount is greater than zero, go to the Section A1 instructions.

1. Does the Credit Table show that the corporation may take the credit ONLY in Section A1 or A2?

   Yes. Do not take the credit this year. Go to question 2.

   No. Go to Section B to figure the amount of credit the corporation may take this year. Then continue to Section C if the corporation's credit is listed in that section.

2. Does the credit have carryover provisions?

   Yes. Enter the credit code, credit name, and credit amount in column (a) in the section indicated by the table. Enter -0- in column (b). Enter the credit amount in column (d). This is the amount of the credit the corporation may carry over and use in future years.

   No. Do not take the credit this year or in future years.

Section A1 Instructions

Line 4 – If the corporation has the credit listed in this section, complete column (a) through column (c).

Section A2 Instructions

For taxable years beginning on or after January 1, 2002, the credit for prior year AMT has to be applied before any credits that can reduce the regular tax below the TMT in accordance with R&TC Section 23036 (c).

Line 5 through Line 9 – Follow the Credit Table Instructions on this page to find out in which section to claim the credit. Then complete column (a) through column (d) for each credit in each section before going to the next section.

Note: Generally, it is to the corporation's advantage to apply credits with limited carryovers before credits with no limitation on the carryover. However, the corporation may want to apply credits with no limitation on the carryover first if that is more advantageous.

Corporations may use these credits to reduce regular tax but not below TMT. The corporation may be able to, if applicable, carry them over to future years. The credits that do not have shading in column (d) can be carried over to future years, if applicable, after reducing the regular tax down to TMT.

Section B — Credits that may reduce regular tax below tentative minimum tax
Corporations may use these credits to reduce the regular tax below TMT. Corporations may also carryover to future taxable years any credits remaining after reducing the regular tax down to the minimum franchise tax, if applicable. But, if the corporation has a tax balance and can continue to use the credit in Section C, apply the carryover in Section C.

Section B Instructions

Line 11 through Line 14 – Follow the Credit Table Instructions to find out in which section to claim your credit. Then complete column (a) through column (d) for each credit in each section before going to the next section.

Section C — Credits that may reduce alternative minimum tax
If the corporation has AMT and remaining solar energy credit carryover and commercial solar energy credit carryover after reducing the regular tax down to the minimum franchise tax, if applicable, the corporation may reduce AMT using these credits. Corporations may also carryover to future taxable years any credits remaining after reducing the AMT to zero.

Section C Instructions

Line 16 and Line 17 – If the corporation has any of the credits listed in this section, complete column (a) through column (d) for each credit in the order listed.

How to Claim Credits

Claim credits by transferring them to Form 100 or Form 109 as follows:

Credits on line 4 through line 14

Form 100 – If the corporation claims only one or two credits, enter the name, code number, and amount of the credit from column (b) on Form 100, line 25 and line 26.

If the corporation has any other credits to claim, add the amounts from column (b) for those credits. Enter the total on Form 100, line 27.

Form 109 – If the organization claims only one to six credits, enter the name, code number, and amount of the credit from column (b) on Form 109, Schedule B, line 1 through line 6.

If the organization has any other credits to claim, add the amounts from column (b) for those credits. Enter the total on Form 109, Schedule B, line 7.

Credit Table Instructions. To use the table:

1. Find the corporation's credit(s) listed in the table.
2. See which sections are identified in the columns under "Offset Tax in Section."
3. Take the credit only in sections the table identifies for the corporation's credit.
4. Complete each section before going to the next section.

Part III — Credit for Prior Year AMT

Use this part to figure the 2006 credit for prior year AMT if the corporation paid AMT for 2005 or had an alternative minimum tax credit carryover from 2005.

For members of a unitary group filing a combined report, compute the credit for prior year AMT for each entity in the current year's group.

Line 1 – Enter the AMT from the 2005 Schedule P (100), Part I, line 19. If this amount was reduced by any commercial solar energy credit carryover or solar energy credit carryover, use the AMT from Section C, line 18 of the 2005 Schedule P (100.)

Line 2 – Enter the credit for prior year carryover from the 2005 Schedule P (100), Part II, line 9, column (d).

Line 3 – Enter this amount on Part II, line 9, column (a).

Credit Table

Code	Current Credits	Form	Offset Tax in Section			
209	Community Development Financial Institution Deposits	N/A		A2		
205	Disabled Access for Eligible Small Businesses	FTB 3548		A2		
204	Donated Agricultural Products Transportation	FTB 3547		A2		
190	Employer Child Care Contribution	FTB 3501		A2		
189	Employer Child Care Program	FTB 3501		A2		
203	Enhanced Oil Recovery	FTB 3546		A2		
176	Enterprise Zone Hiring & Sales or Use Tax 1 = hiring 2 = sales or use tax	FTB 3805Z			B_1 B_2	
218	Environmental Tax	FTB 3511		A2		
207	Farmworker Housing – Construction	N/A		A2		
208	Farmworker Housing – Loan	N/A		A2		
198	Local Agency Military Base Recovery Area Hiring & Sales or Use Tax	FTB 3807		A2		
172	Low-Income Housing	FTB 3521			B	
211	Manufacturing Enhancement Area Hiring	FTB 3808		A2		
213	Natural Heritage Preservation	FTB 3503			B	
188	Prior Year Alternative Minimum Tax	FTB 3510		A2		
162	Prison Inmate Labor	FTB 3507	A1			
183	Research	FTB 3523			B	
206	Rice Straw	N/A		A2		
210	Targeted Tax Area Hiring & Sales or Use Tax	FTB 3809			B	
Code	**Repealed Credits with Carryover Provisions**	**Form**	**Offset Tax in Section**			
175	Agricultural Products	FTB 3540		A2		
196	Commercial Solar Electric System	FTB 3540			B	
181	Commercial Solar Energy	FTB 3540			B	C
202	Contribution of Computer Software	FTB 3540		A2		
191 192 193	Employer Ridesharing Large Employer Small Employer Transit	FTB 3540		A2		
182	Energy Conservation	FTB 3540		A2		
215	Joint Strike Fighter Wage	FTB 3534		A2		
216	Joint Strike Fighter Property	FTB 3534		A2		
159	Los Angeles Revitalization Zone Hiring & Sales or Use Tax	FTB 3806			B	
160	Low-Emission Vehicles	FTB 3540		A2		
199	Manufacturers' Investment	FTB 3540			B	
185	Orphan Drug	FTB 3540			B	
174	Recycling Equipment	FTB 3540		A2		
171	Ridesharing	FTB 3540		A2		
200	Salmon & Steelhead Trout Habitat Restoration	FTB 3540		A2		
217	Solar and Wind Energy System	FTB 3508		A2		
180	Solar Energy	FTB 3540			B	C
179	Solar Pump	FTB 3540		A2		
201	Technological Property Contribution	FTB 3540		A2		

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visit our Website:

www.ftb.ca.gov

Instructions for Form FTB 3539

Payment Voucher for Automatic Extension for Corporations and Exempt Organizations

General Information

Use form FTB 3539 **only** if:

- You cannot file your 2006 California (CA) tax return by the original due date; and
- You owe tax for the 2006 taxable year.

Use the worksheet on the following page to determine if you owe tax.

- If you do not owe tax, there is nothing to file at this time. **Do not** complete this voucher. However, you must file your return by the extended due date listed below.
- If you owe tax, complete the voucher and mail it along with your check or money order to the Franchise Tax Board (FTB) by the original due date to avoid penalties and interest. See Penalties and Interest on next page for more information.

  Note: Make all checks or money orders payable in U.S. dollars and drawn against a U.S. financial institution.

If a corporation (including real estate investment trusts (REITs), real estate mortgage investment conduits (REMICs), regulated investment companies (RICs), limited liability companies (LLCs) electing to be treated as corporations, or an exempt organization in good standing) cannot file its CA tax return by the original due date, a seven-month extension to file is granted without submitting a written request. To qualify for the automatic extension, the corporation or exempt organization must file its CA tax return by the extended due date and its powers, rights, and privileges must not be suspended or forfeited by the FTB or the California Secretary of State (SOS) as of the original due date.

Electronic Funds Transfer (EFT)

Corporations or exempt organizations that meet certain requirements must remit all of their payments through EFT rather than by paper checks or money orders to avoid the EFT penalty.

Corporations or exempt organizations that remit an estimated tax payment or extension payment in excess of $20,000 or that have a total tax liability in excess of $80,000 must remit all of their payments through EFT. The FTB notifies corporations or exempt organizations that are subject to this requirement. Those that do not meet these requirements and wish to participate on a voluntary basis may do so.

If you are paying through EFT, complete the worksheet for your records. **Do Not Send The Payment Voucher.** For more information, go to our Website at **www.ftb.ca.gov**, call (916) 845-4025, or get FTB Pub. 3817, Electronic Funds Transfer Program Information Guide.

Payment of Tax Dates:

To avoid late payment penalties and interest, 100% of the tax liability must be paid by the following dates (see note 4 for exception):

Form Filed	Calendar Year Filers	Fiscal Year Filers: 15th day of the
Form 100, 100S, or 100W	March 15, 2007	3rd month following the close of the taxable year
Form 100 for farmers' cooperative	September 17, 2007	9th month following the close of the taxable year
Form 199 or 109, generally	May 15, 2007	5th month following the close of the taxable year
Form 109 for employee's trust (IRC 401(a)), or IRA	April 16, 2007	4th month following the close of the taxable year

Extended Dates:

The extended date for filing is as follows:

Form Filed	Calendar Year Filers	Fiscal Year Filers: 15th day of the
Form 100, 100S, or 100W	October 15, 2007	10th month following the close of the taxable year
Form 100 for farmers' cooperative	April 15, 2008	16th month following the close of the taxable year
Form 199 or 109, generally	December 17, 2007	12th month following the close of the taxable year
Form 109 for employee's trust (IRC 401(a)) or IRA	November 15, 2007	11th month following the close of the taxable year

Notes:

1. An extension of time to file the CA tax return is **not** an extension of time to pay the tax.
2. When the due date falls on a weekend or holiday, the deadline to file and pay without penalty is extended to the next business day.
3. Save the completed worksheet as a permanent part of the corporation's or exempt organization's tax records along with a copy of the CA tax return.
4. The late payment penalty may be waived where 90% of the tax shown on the return is paid by the original due date of the return, but not less than minimum franchise tax, if applicable.

DETACH HERE — IF NO PAYMENT IS DUE, DO NOT MAIL THIS FORM — DETACH HERE

(Calendar year corporations — Due March 15, 2007) (Fiscal year filers – see instructions)
(Employees' trust and IRA — File and Pay by April 16, 2007)
(Calendar year exempt organizations — Due May 15, 2007)

TAXABLE YEAR **2006**

Automatic Extension for Corps and Exempt Orgs

CALIFORNIA FORM **3539 (CORP)**

For calendar year 2006 or fiscal year beginning month _____ day ____ year _____, and ending month _____ day ____ year _____

California corporation number | Federal employer identification number | **Tax Due** , , ,

Corporation/exempt organization name

Address including Suite, Room, or PMB no.

City | State | ZIP Code

Entity will file.
○ Form 100, Form 100W, or Form 100S
○ Form 109
○ Form 199

Contact telephone no.
( )

IF NO PAYMENT IS DUE, DO NOT MAIL THIS FORM

EFT TAXPAYERS, DO NOT MAIL THIS FORM

6141063

Where to File

If tax is due and the corporation or exempt organization is not paying through EFT, make a check or money order payable to the "Franchise Tax Board" for the amount of the tax due. Write the California corporation number or FEIN and 2006 FTB 3539 on the check or money order. Enclose, but do **not** staple, the payment with the voucher and mail to:

FRANCHISE TAX BOARD
PO BOX 942857
SACRAMENTO CA 94257-0551

Note: Make all checks or money orders payable in U.S. dollars and drawn against a U.S. financial institution.

Private Mail Box
Include the Private Mail Box (PMB) in the address field. Write the acronym "PMB" first, then the box number.
Example: 111 Main Street PMB 123.

Penalties and Interest

- If the corporation or exempt organization fails to pay its total tax liability by the original due date, a late payment penalty plus interest will be added to the tax due. However the late payment penalty may be waived where 90% of the tax shown on the return is paid by the original due date of the return, but not less than minimum franchise tax, if applicable.
- If the corporation or exempt organization does not file its CA tax return by the extended due date, or the corporation's powers, rights, and privileges have been suspended or forfeited by the FTB or the California SOS, as of the original due date, the automatic extension will not apply and a delinquency penalty plus interest will be assessed from the original due date of the CA tax return.
- If the corporation or exempt organization is required to remit all of its payments through EFT and pays by another method, a 10% non-compliance penalty will be assessed.

Combined Reports

- If members of a combined unitary group have made or intend to make an election to file a combined unitary group single return, only the key corporation designated to file the return should submit form FTB 3539. The key corporation must include payment of at least the minimum franchise tax for each corporation of the combined unitary group that is subject to the franchise tax in California.
- If members of a combined unitary group intend to file separate returns with the FTB, each member must submit its own form FTB 3539 if there is an amount entered on line 3 of the Tax Payment Worksheet.
- If any member of a combined unitary group meets the requirements for mandatory EFT, all members must remit their payments through EFT, regardless of their filing election.

Exempt Organizations

- Form 100 filers:
  The due dates for corporations also apply to the filing of Form 100, California Corporation Franchise or Income Tax Return, by political action committees and exempt homeowners' associations.

  Political action committees and exempt homeowners' associations that file Form 100 should not enter the minimum franchise tax on line 1 of the Tax Payment Worksheet.
- Form 199 Filers:
  Generally, Form 199, California Exempt Organization Annual Information Return, requires a $10 filing fee to be paid with the return on the original or extended due date.

  Use form FTB 3539 only if paying the fee early. Enter the amount of the fee on line 3 of the Tax Payment Worksheet.
- Form 109 Filers:
  The due dates for filing Form 109, California Exempt Organization Business Income Return, depend on the type of organization filing the return. Employees' pension trusts and IRAs (including education IRAs) must file on or before the 15th day of the 4th month after the close of their taxable year. All other exempt organizations (except homeowners' associations and political organizations) must file on or before the 15th day of the 5th month after the close of their taxable year.

TAX PAYMENT WORKSHEET FOR YOUR RECORDS

1	Total tentative tax. Include alternative minimum tax if applicable. See instructions	1		
2	Estimated tax payments including prior year overpayment applied as a credit	2		
3	Tax Due. If line 2 is more than line 1, see instructions. If line 1 is more than line 2, subtract line 2 from line 1. Enter the result here and on form FTB 3539	3		

How to Complete the Tax Payment Worksheet

Line 1
Enter the total tentative tax, including the alternative minimum tax, if applicable, for the taxable year.

- If filing Form 100, Form 100W, or Form 100S, and subject to franchise tax, the tentative tax may not be less than the minimum franchise tax and Qualified Subchapter S Subsidiary (QSub) annual tax (S corporations only).
- If filing Form 100, Form 100W, or Form 100S, and subject to income tax, enter the amount of tax. Corporations subject to the income tax do not pay the minimum franchise tax.
- If a corporation incorporates or qualifies to do business in California on or after January 1, 2000, the corporation will compute its tax liability for the first taxable year by multiplying its state net income by the appropriate tax rate and will not be subject to the minimum franchise tax. The corporation will become subject to minimum franchise tax beginning in its second taxable year.
- If filing Form 109, enter the amount of tax. Form 109 filers are not subject to the minimum franchise tax.

Line 2
Enter the estimated tax payments, including prior year overpayment applied as a credit. S corporations include any QSub annual tax payments.

Line 3
Tax due. If the amount on line 1 is more than the amount on line 2, then the corporation's or exempt organization's tentative tax is more than its payments and credits. The corporation or exempt organization has tax due.

Subtract line 2 from line 1. Enter this amount on line 3 and on form FTB 3539.

If the amount on line 2 is more than the amount on line 1, the payments and credits are more than the tentative tax. The corporation or exempt organization has no tax due. **DO NOT SEND THE PAYMENT VOUCHER**. The corporation or exempt organization will automatically qualify for an extension if the California tax return is filed by the extended due date and the corporation or exempt organization is in good standing with the FTB and California SOS.

TAXABLE YEAR

CALIFORNIA FORM

2006 Small Business Stock Questionnaire 3565

Corporation name	California corporation number
Address including Suite, Room, or PMB no.	Federal employer identification no. (FEIN)
City State ZIP Code	

A. Taxable year (beginning and ending)	B. Date of incorporation	C. State of incorporation
D. Date of qualification in California	E. Principal business activity	F. Principal business activity code (Do not leave blank)

If the answer to any of the questions G through L is "No", STOP; do not complete this form because the stock issuance does not qualify under California Revenue and Taxation Code Section 18152.5.

G. Did the corporation issue non-treasury stock during the current taxable year? . . . . . Yes ☐ No ☐
Date of stock issuance for which this information applies: ____/____/____ (Month Day Year)

H. Was the non-treasury stock issued, in whole or in part, for money, for property other than stock, or for services provided to the corporation? . . . . . Yes ☐ No ☐

I. Were the corporation's aggregate gross assets less than or equal to $50,000,000 from the period beginning July 1, 1993, to the date of issuance of the non-treasury stock? See instructions . . . . . Yes ☐ No ☐

J. Was at least 80% of the corporation's payroll in California at the date of issuance of the non-treasury stock? . . . . . Yes ☐ No ☐

K. Was the corporation a domestic corporation at the date of issuance of the non-treasury stock? . . . . . Yes ☐ No ☐

L. Since the issuance of non-treasury stock, was this a corporation with a classification **other than a:**

- RIC, REIT, or REMIC? . . . . . Yes ☐ No ☐
- DISC or former DISC? . . . . . Yes ☐ No ☐
- Corporation with an IRC Section 936 election in effect or a direct or indirect subsidiary with an election? . . . . . Yes ☐ No ☐
- Cooperative? . . . . . Yes ☐ No ☐

M. Did the corporation's assets (in excess of liabilities) consist of 10% or less of stocks or securities of a non-subsidiary corporation(s)? . . . . . Yes ☐ No ☐

N. Since the issuance of non-treasury stock, was this corporation a C corporation for California purposes? . . . . . Yes ☐ No ☐

O. Since the issuance of non-treasury stock, were at least 80% (by value) of the corporation's assets used in the active conduct of one or more qualified trades or businesses in California? See instructions. . . . . Yes ☐ No ☐

P. What percentage of the total value of assets consisted of real property not used in the active conduct of the trade or business? See instructions . . . . . _____%

Q. What was the aggregate subscription amount for all non-treasury stock issuances during the corporation's existence prior to the current issuance? . . . . . $ _____

R. What was the aggregate subscription amount of non-treasury stock issued during the current taxable year? . . . . . $ _____

S. Of the amount in Question R, how much was **received for** qualified small business stock? . . . . . $ _____

T. What was the date of the first non-treasury stock issuance during the current taxable year? . . . . . ____/____/____ (Month Day Year)

U. What was the date of the last non-treasury stock issuance during the current taxable year? . . . . . ____/____/____ (Month Day Year)

V. What was the aggregate percentage of the total purchases of this corporation's own stock (relative to the aggregate value of the corporation's total stock for a two-year period beginning on the date one year before the issuance of this stock)? . . . . . _____%
(If the aggregate percentage is more than 5%, the stock does not qualify as small business stock.)

Under penalties of perjury, I declare that I have examined this form, and to the best of my knowledge and belief, it is true, correct, and complete.

Signature of officer ▶

Date

Print name and title

7401063

2006 Instructions for Form FTB 3565

Small Business Stock Questionnaire

References in these instructions are to the Internal Revenue Code (IRC) as of January 1, 2005, and to the California Revenue and Taxation Code (R&TC).

General Information

In general, California law conforms to the Internal Revenue Code (IRC) as of January 2005. However, there are continuing differences between California and federal law. When California conforms to federal tax law changes, we do not always adopt all of the changes made at the federal level. For more information regarding California and federal law, go to our Website at **www.ftb.ca.gov** and search for **conformity**. Additional information can be found in FTB Pub. 1001, Supplemental Guidelines to California Adjustments, the instructions for California Schedule CA (540 or 540NR), and the Business Entity tax booklets.

Note, The instructions provided with California tax forms are a summary of California tax law and are only intended to aid taxpayers in preparing their state income tax returns. We include information that is most useful to the greatest number of taxpayers in the limited space available. It is not possible to include all requirements of the California Revenue and Taxation Code (R&TC) in the tax booklets. Taxpayers should not consider the tax booklets as authoritative law.

A Purpose

Use form FTB 3565, Small Business Stock Questionnaire, to provide information regarding issuance of stock pursuant to R&TC Section 18152.5.

B Who Must File

A corporation must file form FTB 3565 if it qualifies as a "qualified small business" and issued stock pursuant to R&TC Section 18152.5 during the current taxable year.

Note: If there was more than one issuance of small business stock during the taxable year, fill out a separate form FTB 3565 for each issuance. For purposes of this form, all corporations which are members of the same parent-subsidiary controlled group shall be treated as one corporation. A parent-subsidiary controlled group is defined in IRC Section 1563(a)(1), except that for California tax purposes "more than 50%" shall be substituted for "at least 80%."

C When and Where to File

For taxable years beginning on or after January 1, 1996, a corporation is required to file form FTB 3565 along with Form 100, Corporation Franchise or Income Tax Return, or Form 100W, California Corporation Franchise or Income Tax Return – Water's-Edge Filers. Attach form FTB 3565 to Form 100 or Form 100W and file on or before the due date of the corporate tax return, including extensions.

Under authority granted in R&TC Section 18152.5, the Franchise Tax Board (FTB) requires the corporation to provide a copy of any completed form FTB 3565 to each shareholder that acquired qualified small business stock as part of the stock issuance reported on the completed form FTB 3565 during the current taxable year.

Failure to file this form by the corporation's original or extended return due date for the current taxable year may result in a penalty being assessed to the corporation pursuant to R&TC Section 19133.5. The penalty amount is $50 per failure to file unless the failure is due to negligence or intentional disregard, then the penalty amount is $100 per failure to file the form.

Failure of the corporation to file form FTB 3565 will not disqualify the stockholder from excluding gain from the sale or exchange of stock. However, the stockholder bears the burden of proving the gain from the sale or exchange qualifies for exclusion pursuant to R&TC Section 18152.5 whether or not the corporation files/provides form FTB 3565.

Private Mail Box

Include the Private Mail Box (PMB) in the address field. Write the acronym "PMB" first, then the box number.
Example: 111 Main Street PMB 123.

Specific Instructions

Item F – Principal business activity (PBA) code – Do not leave blank. Enter the six-digit PBA code from the chart included in the 2006 Form 100, Corporation Tax Booklet or Form 100W, Water's-Edge Booklet. The code should be the number for the specific industry group from which the greatest percentage of California "total receipts" is derived. "Total receipts" means gross receipts plus all other income. The California PBA code number may be different than the federal PBA code number.

Questions G through L – If the answer to any of these questions is "No," stop. The stock issuance does not qualify under R&TC Section 18152.5. The corporation does not need to complete the rest of this form and should not attach it to the Form 100 or Form 100W.

Question K – A domestic corporation is defined in IRC Section 7701(a)(4) as any corporation created or organized in the United States or under the law of the United States or of any States.

Question O – A qualified trade or business is defined as any trade or business **other than:**

- Any trade or business involving the performance of services in the fields of health, law, engineering, architecture, accounting, actuarial science, performing arts, consulting, athletics, financial services, brokerage services, or any trade or business where the principal asset of the trade or business is the reputation or skill of one or more of its employees;
- Any banking, insurance, financing, leasing, investing, or similar business;
- Any farming business (including the business of raising or harvesting trees);
- Any business involving the production or extraction of products of a character with respect to which a percentage depletion deduction is allowable under IRC Section 613 or 613A; and
- Any business of operating a hotel, motel, restaurant, or similar business.

Question P – For the purpose of calculating the total value of the assets, any ownership of, dealing in, or renting of, real property shall not be treated as the active conduct of a qualified trade or business.

Question R – Enter the aggregate subscription amount of non-treasury stock issued by the corporation during the entire taxable year.

Question S – Enter the amount included in Question R that was received for that part of the stock issuance that qualifies as small business stock under the provisions of R&TC Section 18152.5.

The amounts entered in Question R and Question S should not include the value of stock issued in exchange for stock.

Note: Records should be maintained showing that the stock issuance met the requirements of R&TC Section 18152.5.

Question T – If there was more than one issuance of small business stock during the current taxable year, enter the date of the first issuance here.

Question U – If there was more than one issuance of small business stock during the current taxable year, enter the date of the last issuance here.

TAXABLE YEAR **2006**

Net Operating Loss (NOL) Computation and NOL and Disaster Loss Limitations — Corporations

CALIFORNIA FORM **3805Q**

Attach to your California tax return (Form 100, Form 100S, Form 100W, or Form 109).

Corporation name

California corporation number

FEIN

During the year the corporation incurred the NOL, the corporation was a(n): ☐ C Corporation ☐ S Corporation ☐ Exempt Organization ☐ Limited Liability Company (electing to be taxed as a corporation)

If the corporation previously filed California tax returns under another corporate name, enter the corporation name and California corporation number:

Note: If the corporation is included in a combined report of a unitary group, see instructions, General Information C, Combined Reporting.

PART I **Current year NOL.** If the corporation does not have a current year NOL, go to Part II.

1 Net loss from Form 100, line 19; Form 100W, line 19; Form 100S, line 16; or Form 109, line 2. Enter as a positive number 1

2 2006 disaster loss from line 1. Enter as a positive number 2

3 Subtract line 2 from line 1. If zero or less, enter -0- and see instructions 3

4 a Enter the amount of the loss incurred by a new business included in line 3 . . . . . 4a

b Enter the amount of the loss incurred by an eligible small business included in line 3 . . . . . 4b

c Add line 4a and line 4b 4c

5 General NOL. Subtract line 4c from line 3 5

6 2006 NOL carryover. Add line 2, line 4c, and line 5. See instructions 6

PART II **NOL carryover and disaster loss carryover limitations. See Instructions.**

1 Net income (loss) – Enter the amount from Form 100, line 19; Form 100W, line 19; Form 100S, line 16 less line 17 (but not less than -0-); or Form 109, line 2 . . . . . (g) Available balance

Prior Year NOLs

(a) Year of loss	(b) Code – See instructions for Part II, column (b)	(c) Type of NOL – See below	(d) Initial loss	(e) Carryover from 2005	(f) Amount used in 2006		(h) Carryover to 2007 col. (e) - col. (f)
2							

Current Year NOLs

3 2006		DIS					col. (d) - col. (f)
4 2006							
2006							
2006							
2006							

Type of NOL: General (GEN), New Business (NB), Eligible Small Business (ESB), Title 11 (T11), or Disaster (DIS).

PART III **2006 NOL deduction**

1 Total the amounts in Part II, line 2, column (f) 1

2 Enter the total amount from line 1 that represents disaster loss carryover deduction here and on Form 100, line 22; Form 100W, line 22; or Form 100S, line 20. Form 109 filers enter -0- 2

3 Subtract line 2 from line 1. Enter this amount on Form 100, line 20; Form 100W, line 20; Form 100S, line 18; or Form 109, line 4 3

2006 Instructions for Form FTB 3805Q

Net Operating Loss (NOL) Computation and NOL and Disaster Loss Limitations – Corporations

References in these instructions are to the Internal Revenue Code (IRC) as of **January 1, 2005,** and to the California Revenue and Taxation Code (R&TC).

General Information

In general, California law conforms to the Internal Revenue Code (IRC) as of January 2005. However, there are continuing differences between California and federal law. When California conforms to federal tax law changes, we do not always adopt all of the changes made at the federal level. For more information regarding California and federal law, go to our Website at **www.ftb.ca.gov** and search for **conformity**. Additional information can be found in FTB Pub. 1001, Supplemental Guidelines to California Adjustments, the instructions for California Schedule CA (540 or 540NR), and the Business Entity tax booklets.

Note, the instructions provided with California tax forms are a summary of California tax law and are only intended to aid taxpayers in preparing their state income tax returns. We include information that is most useful to the greatest number of taxpayers in the limited space available. It is not possible to include all requirements of the California Revenue and Taxation Code (R&TC) in the tax booklets. Taxpayers should not consider the tax booklets as authoritative law.

The general NOL carryover percentage varies. For taxable years beginning on or after:

- January 1, 2004, 100% of the NOL may be carried forward;
- January 1, 2002, and before January 1, 2004, 60% of the NOL may be carried forward; and
- January 1, 2000, and before January 1, 2002, 55% of the NOL may be carried forward.

Also, any NOL incurred in any taxable year beginning on or after January 1, 2000, may be carried forward for 10 years.

For taxable years that began in 2002 and 2003, California had suspended the NOL carryover deduction. Taxpayers continued to compute and carryover an NOL during the suspension period. However, the deduction for disaster losses was not affected by the NOL suspension rules.

The carryover period for an NOL incurred in years:

- Beginning before January 1, 2002, have been extended for two years.
- Beginning on or after January 1, 2002, and before January 1, 2003, have been extended for one year.

In 1998, the Franchise Tax Board (FTB) implemented the new principal business activity (PBA) code chart that is based on the North American Industry Classification System (NAICS) in the corporate tax booklets. However, the California R&TC still uses the Standard Industrial Codes (SIC) for purposes of the new business and eligible small business NOL.

A Purpose

Use form FTB 3805Q to figure the current year NOL and to limit NOL and disaster loss carryover deductions.

Note: Exempt trusts should use form FTB 3805V, Net Operating Loss (NOL) Computation and NOL and Disaster Loss Limitations – Individuals, Estates, and Trusts.

The California NOL is figured the same way as the federal NOL, except that for California:

- An NOL may be carried over only to future years (no carrybacks are allowed); and
- The carryover period and the amount to be carried over differ from federal allowances.

See General Information F, Types of NOLs, for more information.

Note: If the corporation has a current year NOL under R&TC Section 24416.2, 24416.5, 24416.6, and 24416.7 (relating to Pierce's disease, EZ, LAMBRA, or TTA NOLs), the corporation **must elect** on its return for the taxable year in which the loss is incurred to carryover the loss either under that section or the loss under R&TC Section 24416 (relating to general NOLs). If the corporation elects to compute the NOL under R&TC Section 24416.1(c) (relating to Pierce's disease, EZ, LAMBRA, or TTA NOLs), the corporation must:

- Make the election in a statement attached to the original return; and
- Use the applicable Pierce's disease form or economic development area (EDA) form to calculate the NOL.

The election is irrevocable. Get form FTB 3805D, form FTB 3805Z, form FTB 3807, or form FTB 3809 for more information.

B Apportioning Corporations

The loss carryover for a corporation that apportions income is the amount of the corporation's loss, if any, after adding income or loss apportioned to California with income or loss allocable to California under Chapter 17 of the Corporation Tax Law. The loss carryover may be deducted from income of that corporation apportioned and allocable to California in subsequent years.

C Combined Reporting

Corporations that are members of a unitary group filing a single return must use intrastate apportionment, separately computing the loss carryover for each corporation in the group using its individual apportionment factors (R&TC Section 25108). Complete a separate form FTB 3805Q for **each** taxpayer included in the combined report. Attach the separate forms for each taxpayer member **behind** the combined form FTB 3805Q for all members.

Unlike the loss treatment for a federal consolidated return, a California loss carryover for one member in a combined report may not be applied to the income of another member included in the combined report. Get FTB Pub. 1061, Guidelines for Corporations Filing a Combined Report, for more information.

D Water's-Edge

For water's-edge taxpayers, R&TC Section 24416(c) imposes a limitation on the NOL deduction if the NOL is generated during a non-water's-edge tax year. The NOL carryover is limited to the lesser amount as re-determined by computing the income and factors of the original worldwide combined reporting group as if the water's-edge election had been in force for the year of the loss. If R&TC Section 24416(c) applies; the NOL carryover for each corporation may be decreased, but not increased.

E S Corporations

An S corporation is allowed to carryover a loss that is incurred during a year in which it has in effect a valid election to be treated as an S corporation. The loss is also separately calculated under the pass-through rules and passed to the shareholders in the year incurred and is taken into account in determining each shareholder's NOL carryover, if any.

If a corporation changes from a C corporation to an S corporation, the loss incurred while the corporation was a C corporation may not be applied to offset income subject to the 1.5% tax imposed on an S corporation. However, losses incurred while the corporation was a C corporation may be applied against the built-in gains which are subject to tax. If the corporation incurred losses while it was a C corporation and an S corporation, and the S corporation is using C corporation losses to offset its built-in gains, the corporation must complete two forms FTB 3805Q and attach them to Form 100S, California S Corporation Franchise or Income Tax Return. The unused losses incurred while the corporation was a C corporation are "unavailable" except as provided for above unless and until the S corporation reverts back to a C corporation or the carryover period expires.

However, if an S corporation changes to a C corporation, any S corporation NOLs are lost.

F Types of NOLs

The table below shows the types of NOLs available, a description, and the percentages and carryover periods for each type of loss.

***Note:** For NOL carryovers suspended during 2002 and 2003 tax year, the carryover period is extended by two years for losses incurred before January 1, 2002, and by one year for losses incurred after January 1, 2002, and before January 1, 2003.

Type of NOL and Description	Taxable Year NOL Incurred	NOL Carried Over	Carryover* Period
General NOL (GEN) Available as a result of a loss incurred in years after 1986 and allowed under R&TC Section 24416. Does not include losses incurred from activities that qualify as a new business, an eligible small business, EZ, LARZ, LAMBRA, TTA, disaster loss, or Pierce's disease.	On or after 01/01/2004 2002-2003 2000-2001 1997-1999 1987-1996	100% 60% 55% 50% None	10 Years 10 Years 10 Years 5 Years Expired
Disaster Losses (DIS) Casualty losses in areas of California declared by the President of the United States or the Governor of California to be in a state of disaster. An election may be made under IRC Section 165(i) permitting the disaster loss to be taken against the previous year's income. If the corporation made this election, see current year NOLs, Part II, line 3 and federal Form 4684 instructions for when the election must be filed. If special legislation is enacted under R&TC Section 24347.5 and the specified disaster loss exceeds income in the year it is claimed, 100% of the excess may be carried over for up to five taxable years. If any excess loss remains after the five-year period, 50% of that remaining loss may be carried over for up to 10 additional taxable years for losses occurred in any taxable year beginning before January 1, 2000; 55% for losses incurred in any taxable year beginning on or after January 1, 2000, and before January 1, 2002; 60% for losses incurred in any taxable year beginning on or after January 1, 2002, and before January 1, 2004; or 100% for losses incurred in any taxable year beginning on or after January 1, 2004.	See "List of events that declared as disasters on next page.	100% See instructions	First 5 Years 10 Years Thereafter
New Business NOL (NB) Get FTB Legal Ruling 96-5 for more information. Incurred by a trade or business that first commenced in California on or after January 1, 1994, during the first three years of business, 100% of an NOL may be carried over for 10 years, but only to the extent of the net loss from the new business. The term ''new business'' also includes any taxpayer engaged in biopharmaceutical activities or other biotechnology activities described in Codes 2833 to 2836 of the SIC Manual. It also includes any taxpayer that has not received regulatory approval for any product from the United States Food and Drug Administration. See R&TC Section 24416(g)(7)(A) for more information. If a taxpayer's NOL exceeds the net loss from the new business, the excess may be carried over as a general NOL. If a taxpayer acquires assets of an existing trade or business which is doing business in California, the trade or business conducted by the taxpayer or related person is not a new business if the fair market value (FMV) of the acquired assets exceeds 20% of the FMV of the total assets of the trade or business conducted by the taxpayer or any related person. To determine whether the acquired assets exceed 20% of the total assets, include only the assets that continue to be used in the same trade or business activity as were used immediately prior to the acquisition. For this purpose, the same trade or business activity means the same division classification listed in the SIC Manual. If a taxpayer or related person has been engaged in a trade or business in California within the preceding 36 months and then starts an additional trade or business in California, the additional trade or business qualifies as a new business only if the activity is classified under a different division classification of the SIC Manual. Business activities conducted by the taxpayer or related persons wholly outside California are disregarded in determining whether the trade or business conducted within California is a new business. Related persons are defined in IRC Sections 267 or 318.	On or after 01/01/2000 Before 01/01/2000 Year of business Year 1 Year 2 Year 3	100% For the first three years of business 100% 100% 100%	10 Years 8 Years 7 Years 6 Years
Eligible Small Business (ESB) Get FTB Legal Ruling 96-5 for more information. Incurred in a trade or business activity that has gross receipts, less returns and allowances, of less than $1 million during the taxable year. 100% of an NOL may be carried over, but only to the extent of the net loss from the eligible small business. If a taxpayer's NOL exceeds the net loss from an eligible small business, the excess may be carried over as a general NOL. The corporation should use the same SIC Code division classifications described in the new business NOL section to determine what constitutes a trade or business activity.	On or after 01/01/2000 On or after 01/01/1994 and before 01/01/2000	100% 100%	10 Years 5 Years
Title 11 Bankruptcy (T11) If the corporation is claiming an NOL carryover deduction under the provisions of R&TC Section 24416(e)(4)(A), enter the carryover amount on Part II, line 2.	1987-1993	50%	10 Years

Specific Line Instructions

Part I

Use Part I of this form to figure the current year NOL eligible for carryover.

Line 2 – If the corporation incurred a disaster loss during 2006, enter the amount of the loss on this line. Enter as a positive number.

Line 3 – If the amount is zero or less, the corporation does not have a current year general NOL. Go to Part II for computation of general NOL carryovers, the current year disaster loss, and carryover from disaster losses.

Line 6 – Go to Part II, Current Year NOLs, to record the corporation's 2006 NOL carryover to 2007. Complete columns (b), (c), (d), and (h) only, for each type of loss that the corporation incurred.

If the corporation has an eligible qualified new business or a small business and the NOL is greater than the amount of net loss from such a business, use the general NOL first. If the corporation operates one or more new businesses and one or more eligible small businesses, determine the amount of the loss attributable to the new business(es), the small business(es), and the general NOL in the following manner. The NOL is first treated as a new business NOL to the extent of the loss from the new business. Any remaining NOL is then treated as an eligible small business NOL to the extent of the loss from the eligible small business. Any further remaining NOL is treated as an NOL under the general rules.

Part II

Use Part II to limit current year disaster loss and NOL carryover deductions to current year income and to record all of the corporation's loss carryover information.

If the corporation has losses from more than one source and/or more than one category, the corporation must compute the allowable NOL carryover for **each** loss separately.

When to use an NOL carryover

Use the corporation's NOLs and disaster losses in the order the losses were incurred. There is no requirement to deduct NOL carryovers before disaster loss carryovers.

Prior Year NOLs

Column (a) – Enter the year the loss was incurred.

Column (b) – If the loss is due to a disaster, enter the disaster code from the list below. If the loss is from a new business or eligible small business, enter the SIC Code for the new business or eligible small business from the Standard Industrial Classification Manual. DO NOT enter the code from the PBA chart available in the 2006 Form 100, Form 100W, or Form 100S booklets. If the loss was from an S corporation, enter the entity's federal employer identification number from Schedule K-1 (100S).

List of events that have been declared disasters:

Year	Code	Event
2006	29	San Bernardino County Wildfires
2006	28	Northern California flooding, mudslides, and landslides 03/06 to 04/06
2006 2005	27	Northern California flooding, mudslides, and landslides 12/05 to 01/06
2004	26	Shasta County Wildfires
2005 2004	25	Southern California flooding, debris flows, and mudslides
2004	24	San Joaquin Levee Break
2003	23	San Simeon earthquake
2003	22	Southern California fires and other related casualties
2000	21	Napa County earthquake
1999	20	Wildfires and other related casualties*
1999 1998	19	Winter Freeze 98/99
1998	18	El Niño 98
1997 1996	17	Disaster floods 96/97
1996	16	Firestorms 96 (expired) *
1995	15	Storms, flooding, and other related casualties
1994	14	San Luis Obispo fire and other related casualties
1994	13	Los Angeles, Orange, and Ventura County earthquake and other related casualties
1993	12	Storms, floods, and other related casualties
1992	11	Wildfires and other related casualties in Calaveras and Shasta Counties
1992	10	San Bernardino County earthquake and other related casualties
1992	9	Riots, arson, and related casualties in California during April and May
1992	8	Humboldt County earthquake and related casualties
1992	7	Storms, floods, and other related casualties
1991	6	Oakland/Berkeley fire and other related casualties (expired)**
1990	5	Santa Barbara fires and other related casualties (expired)
1989	4	Bay Area earthquake and other related casualties (expired)
1987	3	Forest fires, October earthquake, and other related casualties (expired)
1986	2	Storms, floods, and other related casualties (expired)
1985	1	Forest fires and related casualties occurring in California (expired)

*Carryover period and percentage are limited to the NOL rules. No special legislation was enacted.

** Corporations that elect to deduct the disaster loss in the prior year under IRC Section 165(i), the disaster loss carryover expires this year. Corporations that did not elect IRC Section 165(i), the disaster loss carryover expires next year.

Column (c) – Enter the type of NOL from the table in General Information F, Types of NOLs.

If using a Pierce's disease, or an EDA NOL, get the applicable form for the NOL type.

Column (d) – Enter 100% of the initial loss for the year given in column (a).

Column (e) – Enter the NOL carryover amount from the 2005 form FTB 3805Q, Part II, column (h).

Column (f) – Enter the smaller of the amount in column (e) or the amount in column (g) of the previous line.

Column (g) – Enter the result of subtracting column (f) from the balance in column (g) of the previous line.

Column (h) – Subtract the amount in column (f) from the amount in column (e) and enter the result.

Current Year NOLs

Note: If a disaster loss occurs between the date of the publication and the end of the taxable year, go to our Website at **www.ftb.ca.gov** for an updated version of this form, which will include information for any subsequent disaster loss. Then follow the line 3 instructions.

Line 3 – Current year Disaster Loss

If the corporation did not elect to deduct the current year disaster loss in the prior year:

- In column (d), enter your 2006 disaster loss from Part I, line 2.
- In column (f), enter the disaster loss used in 2006.
- In column (h), enter column (d) less column (f).

If the corporation elected to deduct the 2006 disaster loss on the 2005 tax return, and the corporation has an excess amount to be carried over to 2006, enter the carryover amount in Part II, line 2, column (e). Use the Prior Year NOL instructions for column (a) through column (h) except:

- In column (a), enter 2006;
- In column (b), enter the new disaster code; and
- In column (d), enter the total disaster loss incurred in 2006.

TAXABLE YEAR

CALIFORNIA FORM

2006 Corporation Depreciation and Amortization 3885

Attach to Form 100 or Form 100W.

Corporation name

California corporation number

Part I Election To Expense Certain Property Under IRC Section 179

1 Maximum deduction under Section 179 for California	1	$25,000
2 Total cost of Section 179 property placed in service	2	
3 Threshold cost of Section 179 property before reduction in limitation	3	$200,000
4 Reduction in limitation. Subtract line 3 from line 2. If zero or less, enter -0-	4	
5 Dollar limitation for tax year. Subtract line 4 from line 1. If zero or less, enter -0-	5	

(a) Description of property	(b) Cost (business use only)	(c) Elected cost
6		
7 Listed property (elected Section 179 cost)	7	

8 Total elected cost of Section 179 property. Add amounts in column (c), lines 6 and 7	8	
9 Tentative deduction. Enter the **smaller** of line 5 or line 8	9	
10 Carryover of disallowed deduction from prior years	10	
11 Business income limitation. Enter the smaller of business income (not less than zero) or line 5	11	
12 Section 179 expense deduction. Add lines 9 and 10, but do not enter more than line 11	12	
13 Carryover of disallowed deduction to 2007. Add lines 9 and 10, less line 12	13	

Part II Depreciation and Election of Additional First Year Expense Deduction Under R&TC Section 24356

(a) Description of property	(b) Date acquired	(c) Cost or other basis	(d) Depreciation allowed or allowable in earlier years	(e) Depreciation method	(f) Life or rate	(g) Depreciation for this year	(h) Additional first year depreciation
14							

15 Add the amounts in column (g) and column (h). The combined total of column (h) may not exceed $2,000. See instructions for line 14, column (h)	15		

Part III Summary

16 Total: If the corporation is electing: IRC Section 179 expense, add the amount on line 12 and line 15, column (g) **or** Additional first year depreciation under R&TC Section 24356, add the amounts on line 15, columns (g) and (h) **or** Depreciation (if no election is made), enter the amount from line 15, column (g)	16	
17 Total depreciation claimed for federal purposes from federal Form 4562, line 22	17	
18 Depreciation adjustment. If line 17 is greater than line 16, enter the difference here and on Form 100 or Form 100W, Side 1, line 6. If line 17 is less than line 16, enter the difference here and on Form 100 or Form 100W, Side 1, line 12. (If California depreciation amounts are used to determine net income before state adjustments on Form 100 or Form 100W, no adjustment is necessary.)	18	

Part IV Amortization

(a) Description of property	(b) Date acquired	(c) Cost or other basis	(d) Amortization allowed or allowable in earlier years	(e) R&TC Section	(f) Period or percentage	(g) Amortization for this year
19						

20 Total. Add the amounts in column (g)	20	
21 Total amortization claimed for federal purposes from federal Form 4562, line 44	21	
22 Amortization adjustment. If line 21 is greater than line 20, enter the difference here and on Form 100 or Form 100W, Side 1, line 6. If line 21 is less than line 20, enter the difference here and on Form 100 or Form 100W, Side 1, line 12	22	

General Information

In general, California law conforms to the IRC as of January 2005. However, there are continuing differences between California and federal law. When California conforms to federal tax law changes, we do not always adopt all of the changes made at the federal level. For more information regarding California and federal law, please go to our Website at **www.ftb.ca.gov** and search for **conformity**. Additional information can be found in FTB Pub. 1001, Supplemental Guidelines to California Adjustments, the instructions for California Schedule CA (540 or 540NR), and the Business Entity tax booklets.

Note, the instructions provided with California tax forms are a summary of California tax law and are only intended to aid taxpayers in preparing their state income tax returns. We include information that is most useful to the greatest number of taxpayers in the limited space available. It is not possible to include all requirements of the California Revenue and Taxation Code (R&TC) in the tax booklets. Taxpayers should not consider the tax booklets as authoritative law.

- For taxable years beginning on or after January 1, 2005, corporations may elect to expense, under Internal Revenue Code (IRC) Section 179, part or all of the cost of certain properties placed in service during the taxable year and used in the trade or business. For more information, see General Information F.

Note: California does not allow IRC Section 179 expense election for off-the-shelf computer software.

- California conforms to the federal changes made to the deduction of business start-up and organizational costs paid or incurred on or after January 1, 2005.

A Purpose

Use form FTB 3885 to calculate California depreciation and amortization deduction for corporations, including partnerships and limited liability companies (LLCs) classified as corporations.

S corporations must use Schedule B (100S). Individuals must use form FTB 3885A, Depreciation and Amortization – Individuals. Fiduciaries and exempt trusts must use form FTB 3885F, Depreciation and Amortization – Fiduciaries. Partnerships must use form FTB 3885P, Depreciation and Amortization – Partnerships. LLCs classified as partnerships must use form FTB 3885L, Depreciation and Amortization – Limited Liability Companies.

Depreciation and amortization are deductions corporations claim for reasonable exhaustion, wear and tear, and normal obsolescence of property used in a trade or business or held for the production of income.

For purposes of this form, depreciation is used in connection with tangible property, while amortization is used for intangible assets.

Note: For amortizing the cost of certified pollution control facilities, use form FTB 3580, Application to Amortize Certified Pollution Control Facility.

B Federal/State Calculation Differences

Important differences between federal and California laws affect the calculation of depreciation and amortization. Some of the major differences are briefly described, as follows:

- California conforms to 2003 increase for the limitation on luxury automobile depreciation, with modifications. In addition, SUVs and minivans built on a truck chassis are included in the definition of trucks and vans when applying the 6,000 pound gross weight limit. See R&TC Section 24349.1 and federal Rev. Proc. 2003-75 for more information.
- California law has not conformed to the additional 30% or 50% first-year depreciation allowance for qualified property;
- California law allows additional first-year depreciation under R&TC Section 24356, **or** an election to expense the cost of the property as provided in IRC Section 179;
- California law has not conformed to federal statutes allowing accelerated depreciation for property on Indian Reservations;
- California law allows a useful life of five years, instead of ten years, for grapevines planted as replacements for vines subject to Phylloxera or Pierce's disease;
- California corporation tax law has not conformed to the federal special class life for gas station convenience stores and similar structures;
- California has not conformed to federal statutes allowing depreciation under Modified Accelerated Cost Recovery System (MACRS) for corporations, except to the extent such depreciation is passed through from a partnership or LLC classified as a partnership;
- California has adopted provisions of the federal Class Life Asset Depreciation Range System (ADR), which specifies a useful life for various types of property. However, California law does not allow the corporation to choose a depreciation period that varies from the specified asset guideline system.

C Depreciation Calculation Methods

Depreciation methods are defined in R&TC Sections 24349 through 24354. Depreciation calculation methods, described in R&TC Section 24349, are as follows:

Straight-Line. The straight-line method divides the cost or other basis of property, less its estimated salvage value, into equal amounts over the estimated useful life of the property. An asset may not be depreciated below a reasonable salvage value.

Declining Balance. Under this method, depreciation is greatest in the first year and smaller in each succeeding year. The property must have a useful life of at least three years. Salvage value is not taken into account in determining the basis of the property, but the property may not be depreciated below a reasonable salvage value.

The amount of depreciation for each year is subtracted from the basis of the property and a uniform rate of up to 200% of the straight-line rate is applied to the remaining balance.

For example, the annual depreciation allowances for property with an original basis of $100,000 are:

Year	Remaining basis	Declining balance rate	Depreciation allowance
First.	$100,000	20%	$20,000
Second	80,000	20%	16,000
Third	64,000	20%	12,800
Fourth	51,200	20%	10,240

Sum-of-the-years-digits method. This method may be used whenever the declining balance method is allowed. The depreciation deduction is figured by subtracting the salvage value from the cost of the property and multiplying the result by a fraction. The numerator of the fraction is the number of years remaining in the useful life of the property. Therefore, the numerator changes each year as the life of the property decreases. The denominator of the fraction is the sum of the digits representing the years of useful life. The denominator remains constant every year.

Other consistent methods. Other depreciation methods may be used as long as the total accumulated depreciation at the end of any taxable year during the first 2/3 of the useful life of the property is not more than the amount that would have resulted from using the declining balance method.

D Period of Depreciation

Under CA Reg. 24349 (I), California conforms to the federal useful lives of property.

Use the following information as a guide to determine reasonable periods of useful life for purposes of calculating depreciation. Actual facts and circumstances will determine useful life. Note, however, that the figures listed below represent the normal periods of useful life for the types of property listed as shown in IRS Rev. Proc. 83-35.

- Office furniture, fixtures, machines, and equipment . . . . . 10 yrs.

  This category includes furniture and fixtures (that are not structural components of a building) and machines and equipment used in the preparation of paper or data. Examples include: desks; files; safes; typewriters, accounting, calculating, and data processing machines; communications equipment; and duplicating and copying equipment.
- Computers and peripheral equipment (printers, etc.). . . . . 6 yrs.
- Transportation equipment and automobiles (including taxis) . . . . . 3 yrs.
- General-purpose trucks:
  Light (unloaded weight less than 13,000 lbs.) . . . . . 4 yrs.
  Heavy (unloaded weight 13,000 lbs. or more) . . . . . 6 yrs.
- Buildings

  This category includes the structural shell of a building and all of its integral parts that service normal heating, plumbing, air conditioning, fire prevention and power requirements, and equipment such as elevators and escalators.

  Type of building:
  Apartments. . . . . 40 yrs.
  Dwellings (including rental residences). . . . . 45 yrs.
  Office buildings. . . . . 45 yrs.
  Warehouses . . . . . 60 yrs.

E Depreciation Methods to Use

Corporations may use the straight-line method for any depreciable property. Before using other methods, consider the kind of property, its useful life, whether it is new or used, and the date it was acquired. Use the following chart as a general guide to determine which method to use:

Property description	Maximum depreciation method
Real estate acquired 12/31/70 or earlier	
New (useful life 3 yrs. or more)	200% Declining balance
Used (useful life 3 yrs. or more)	150% Declining balance
Real estate acquired 1/1/71 or later	
Residential Rental:	
New.	200% Declining balance
Used (useful life 20 yrs. or more) . . .	125% Declining balance
Used (useful life less than 20 yrs.) . .	Straight-line
Commercial and industrial:	
New (useful life 3 yrs. or more)	150% Declining balance*
Used	Straight-line
Personal property	
New (useful life 3 yrs. or more)	200% Declining balance*
Used (useful life 3 yrs. or more)	150% Declining balance

*Other depreciation methods may be used as long as the total accumulated depreciation at the end of any taxable year during the first 2/3 of the useful life of the property is not more than the amount that would have resulted from using the declining balance method.

The Guideline Class Life System of depreciation may be used for certain classes of assets placed in service before 1971.

The Class Life ADR System of depreciation may be used for designated classes of assets placed in service after 1970.

F Election To Expense Certain Property Under IRC Section 179

For taxable years beginning on or after January 1, 2005, corporations may elect IRC Section 179 to expense part or all of the cost of depreciable tangible property used in the trade or business and certain other property described in federal Pub. 946, How to Depreciate Property. To elect IRC Section 179, the corporation must have purchased property, as defined in the IRC Section 179(d)(2), and placed it in service during the year. If the corporation elects this deduction, the corporation must reduce the

California depreciable basis by the IRC Section 179 expense. See the instructions for federal Form 4562, Depreciation and Amortization, for more information.

Limitations. For California purposes, the maximum Section 179 expense deduction allowed is $25,000. This amount is reduced if the cost of all Section 179 property placed in service during the year is more than $200,000. The total Section 179 expense deduction cannot exceed the corporation's business income.

Note: Federal limitation amounts are different than California limitation amounts.

G Amortization

California conforms to the IRC Section 197 amortization of intangibles for taxable years beginning on or after January 1, 1994. Generally, assets that meet the definition under IRC Section 197 are amortized on a straight-line basis over 15 years. There may be differences in the federal and California amounts for intangible assets acquired in taxable years beginning prior to January 1, 1994. See R&TC Section 24355.5 for more information.

Amortization of the following assets is governed by California law:

Bond premiums	R&TC 24360 – 24363.5
Research expenditures	R&TC 24365
Reforestation expenses	R&TC 24372.5
Organizational expenditures	R&TC 24407 – 24409
Start-up expenses	R&TC 24414

Other intangible assets may be amortized if it is proved with reasonable accuracy that the asset has an ascertainable value that diminishes over time and has a limited useful life.

Specific Line Instructions

For properties placed in service during the taxable year, the corporation may complete Part I if the corporation elects to expense qualified property under IRC Section 179, or Part II if the corporation elects additional first year expense for qualified property under R&TC Section 24356. The corporation may only elect IRC Section 179 or the additional first year expense deduction for the same taxable year. The election must be made on a timely filed return (including extension). The election may not be revoked except with the consent of the Franchise Tax Board.

Part II is also used to calculate depreciation for property (with or without the above elections).

Part I Election To Expense Certain Property Under IRC Section 179

Complete Part I if the corporation elects IRC Section 179 expense. Include all assets qualifying for the deduction since the limit applies to all qualifying assets as a group rather than to each asset individually. The total IRC Section 179 expense for property, which the election may be made, is figured on line 5. The amount of Section 179 expense deductions for the taxable year cannot exceed the corporation business income on line 11. See the instructions for federal Form 4562 for more information.

Line 2
Enter the cost of all IRC Section 179 qualified property placed in service during the taxable year including the cost of any listed property. See General Information F, Election To Expense Certain Property Under IRC Section 179, for information regarding qualified property. See line 7 instructions for information regarding listed property.

Line 5
If line 5 is zero, the corporation cannot elect to expense any IRC Section 179 property. Skip lines 6 through 11, enter zero on line 12.

Line 6
Do not include any listed property on line 6. Enter the elected IRC Section 179 cost of listed property on line 7.

Column (a) – Description of property. Enter a brief description of the property the corporation elects to expense.

Column (b) – Cost (business use only). Enter the cost of the property. If the corporation acquired the property through a trade-in, do not include any carryover basis of the property traded in. Include only the excess of the cost of the property over the value of the property traded in.

Column (c) – Elected cost. Enter the amount the corporation elects to expense. The corporation does not have to expense the entire cost of the property. The corporation can depreciate the amount it does not expense.

Line 7
Use a format similar to federal Form 4562, Part V, line 26 to determine the elected IRC Section 179 cost of listed property. Listed property generally includes the following:

- Passenger automobiles weighing 6,000 pounds or less.
- Any other property used for transportation if the nature of the property lends itself to personal use, such as motorcycles, pick-up trucks, sport utility vehicles, etc.
- Any property used for entertainment or recreational purposes (such as photographic, phonographic, communication, and video recording equipment).
- Cellular telephones (or other similar telecommunications equipment).
- Computers or peripheral equipment.

Exception. Listed property generally does not include:

- Photographic, phonographic, communication, or video equipment used exclusively in the corporation's trade or business.
- Any computer or peripheral equipment used exclusively at a regular business.
- An ambulance, hearse, or vehicle used for transporting persons or property for hire.

Listed property used 50% or less in business activity does not qualify for the IRC Section 179 expense deduction. For more information regarding listed property, see the instructions for federal Form 4562.

Line 11
The total cost the corporation can deduct is limited to the corporation's business income. For the purpose of IRC Section 179 election, business income is the net income derived from the corporation's active trade or business, Form 100 or Form 100W, line 18, before the IRC Section 179 expense deduction (excluding items not derived from a trade or business actively conducted by the corporation).

Part II Depreciation and Election of Additional First year Expense Deduction under R&TC Section 24356

Line 14
Corporations may enter each asset separately or group assets into depreciation accounts. Figure the depreciation separately for each asset or group of assets. The basis for depreciation is the cost or other basis reduced by a reasonable salvage value (except when using the declining balance method), additional first-year depreciation (if it applies), and tax credits claimed on depreciable property (where specified). This may cause the California basis to be different from the federal basis.

If the Guideline Class Life System or Class Life ADR System is used, enter the amount, from a schedule showing the computation, on form FTB 3885, column (g), and identify as such.

Line 14, Column (h), Additional first-year depreciation
Corporations may elect to deduct up to 20% of the cost of "qualifying property" in the year acquired in addition to the regular depreciation deduction. The maximum additional first-year depreciation deduction is $2,000. Corporations must reduce the basis used for regular depreciation by the amount of additional first-year depreciation claimed.

"Qualifying property" is tangible personal property used in business and having a useful life of at least six years. Land, buildings, and structural components do not qualify. Property converted from personal use, acquired by gift, inheritance, or from related parties also does not qualify.

See R&TC Section 24356 and the applicable regulations for more information.

Note: An election may be made to expense up to 40% of the cost of property described in R&TC Sections 24356.6, 24356.7, and 24356.8. For more information, get form FTB 3809, Targeted Tax Area Deduction and Credit Summary; form FTB 3805Z, Enterprise Zone Deduction and Credit Summary; or form FTB 3807, Local Agency Military Base Recovery Area Deduction and Credit Summary.

Principal Business Activity Codes

This list of principal business activities and their associated codes is designed to classify a business by the type of activity in which it is engaged to facilitate the administration of the California Revenue and Taxation Code. For taxable years beginning on or after January 1, 1998, these principal business activity codes are based on the North American Industry Classification System.

Using the list of activities and codes below, determine from which activity the company derives the largest percentage of its "total receipts." Total receipts is defined as the sum of gross receipts or sales (Schedule F, line 1a) plus all other income (Side 3, Schedule F, lines 4 through 10). If the company purchases raw materials and supplies them to a subcontractor to produce the finished product, but retains title to the product, the company is considered a manufacturer and must use one of the manufacturing codes (311110-339900).

Once the principal business activity is determined, entries must be made on Form 100, Question E. For the business activity code number, enter the six-digit code selected from the list below. On the next line enter a brief description of the company's business activity. Finally, enter a description of the principal product or service of the company on the next line.

Agriculture, Forestry, Fishing, and Hunting

Code

Crop Production

111100 Oilseed & Grain Farming
111210 Vegetable & Melon Farming (including potatoes & yams)
111300 Fruit & Tree Nut Farming
111400 Greenhouse, Nursery, & Floriculture Production
111900 Other Crop Farming (including tobacco, cotton, sugarcane, hay, peanut, sugar beet, & all other crop farming)

Animal Production

112111 Beef Cattle Ranching & Farming
112112 Cattle Feedlots
112120 Dairy Cattle & Milk Production
112210 Hog & Pig Farming
112300 Poultry & Egg Production
112400 Sheep & Goat Farming
112510 Animal Aquaculture (including shellfish & finfish farms & hatcheries)
112900 Other Animal Production

Forestry and Logging

113110 Timber Tract Operations
113210 Forest Nurseries & Gathering of Forest Products
113310 Logging

Fishing, Hunting and Trapping

114110 Fishing
114210 Hunting & Trapping

Support Activities for Agriculture and Forestry

115110 Support Activities for Crop Production (including cotton ginning, soil preparation, planting, & cultivating)
115210 Support Activities for Animal Production
115310 Support Activities for Forestry

Mining

211110 Oil & Gas Extraction
212110 Coal Mining
212200 Metal Ore Mining
212310 Stone Mining & Quarrying
212320 Sand, Gravel, Clay, & Ceramic & Refractory

Minerals Mining & Quarrying

212390 Other Nonmetallic Mineral Mining & Quarrying
213110 Support Activities for Mining

Utilities

221100 Electric Power Generation, Transmission & Distribution
221210 Natural Gas Distribution
221300 Water, Sewage, & Other Systems
221500 Combination Gas and Electric

Construction

Code

Construction of Buildings

236110 Residential Building Construction
236200 Nonresidential Building Construction

Heavy and Civil Engineering Construction

237100 Utility System Construction
237210 Land Subdivision
237310 Highway, Street, & Bridge Construction
237990 Other Heavy & Civil Engineering Construction

Specialty Trade Contractors

238100 Foundation, Structure, & Building Exterior Contractors (including framing carpentry, masonry, glass, roofing, & siding)
238210 Electrical Contractors
238220 Plumbing, Heating, & Air-Conditioning Contractors
238290 Other Building Equipment Contractors
238300 Building Finishing Contractors (including drywall, insulation, painting, wallcovering, flooring, tile, & finish carpentry)
238900 Other Specialty Trade Contractors (including site preparation)

Manufacturing

Food Manufacturing

311110 Animal Food Mfg
311200 Grain & Oilseed Milling
311300 Sugar & Confectionery Product Mfg
311400 Fruit & Vegetable Preserving & Specialty Food Mfg
311500 Dairy Product Mfg
311610 Animal Slaughtering and Processing
311710 Seafood Product Preparation & Packaging
311800 Bakeries & Tortilla Mfg
311900 Other Food Mfg (including coffee, tea, flavorings, & seasonings)

Beverage and Tobacco Product Manufacturing

312110 Soft Drink & Ice Mfg
312120 Breweries
312130 Wineries
312140 Distilleries
312200 Tobacco Manufacturing

Textile Mills and Textile Product Mills

313000 Textile Mills
314000 Textile Product Mills

Apparel Manufacturing

315100 Apparel Knitting Mills

Code

315210 Cut & Sew Apparel Contractors
315220 Men's & Boys' Cut & Sew Apparel Mfg
315230 Women's & Girls' Cut & Sew Apparel Mfg
315290 Other Cut & Sew Apparel Mfg
315990 Apparel Accessories & Other Apparel Mfg

Leather and Allied Product Manufacturing

316110 Leather & Hide Tanning & Finishing
316210 Footwear Mfg (including rubber & plastics)
316990 Other Leather & Allied Product Mfg

Wood Product Manufacturing

321110 Sawmills & Wood Preservation
321210 Veneer, Plywood, & Engineered Wood Product Mfg
321900 Other Wood Product Mfg

Paper Manufacturing

322100 Pulp, Paper, & Paperboard Mills
322200 Converted Paper Product Mfg

Printing and Related Support Activities

323100 Printing & Related Support Activities

Petroleum and Coal Products Manufacturing

324110 Petroleum Refineries (including integrated)
324120 Asphalt Paving, Roofing, & Saturated Materials Mfg
324190 Other Petroleum & Coal Products Mfg

Chemical Manufacturing

325100 Basic Chemical Mfg
325200 Resin, Synthetic Rubber, & Artificial & Synthetic Fibers & Filaments Mfg
325300 Pesticide, Fertilizer, & Other Agricultural Chemical Mfg
325410 Pharmaceutical & Medicine Mfg
325500 Paint, Coating, & Adhesive Mfg
325600 Soap, Cleaning Compound, & Toilet Preparation Mfg
325900 Other Chemical Product & Preparation Mfg

Plastics and Rubber Products Manufacturing

326100 Plastics Product Mfg
326200 Rubber Product Mfg

Nonmetallic Mineral Product Manufacturing

327100 Clay Product & Refractory Mfg
327210 Glass & Glass Product Mfg
327300 Cement & Concrete Product Mfg
327400 Lime & Gypsum Product Mfg
327900 Other Nonmetallic Mineral Product Mfg

Primary Metal Manufacturing

331110 Iron & Steel Mills & Ferroalloy Mfg
331200 Steel Product Mfg from Purchased Steel
331310 Alumina & Aluminum Production & Processing
331400 Nonferrous Metal (except Aluminum) Production & Processing
331500 Foundries

Fabricated Metal Product Manufacturing

332110 Forging & Stamping
332210 Cutlery & Handtool Mfg
332300 Architectural & Structural Metals Mfg
332400 Boiler, Tank, & Shipping Container Mfg
332510 Hardware Mfg
332610 Spring & Wire Product Mfg
332700 Machine Shops, Turned Product, & Screw, Nut, & Bolt Mfg

Code

332810 Coating, Engraving, Heat Treating, & Allied Activities
332900 Other Fabricated Metal Product Mfg

Machinery Manufacturing

333100 Agriculture, Construction, & Mining Machinery Mfg
333200 Industrial Machinery Mfg
333310 Commercial & Service Industry Machinery Mfg
333410 Ventilation, Heating, Air-Conditioning, & Commercial Refrigeration Equipment Mfg
333510 Metalworking Machinery Mfg
333610 Engine, Turbine, & Power Transmission Equipment Mfg
333900 Other General Purpose Machinery Mfg

Computer and Electronic Product Manufacturing

334110 Computer & Peripheral Equipment Mfg
334200 Communications Equipment Mfg
334310 Audio & Video Equipment Mfg
334410 Semiconductor & Other Electronic Component Mfg
334500 Navigational, Measuring, Electromedical, & Control Instruments Mfg
334610 Manufacturing & Reproducing Magnetic & Optical Media

Electrical Equipment, Appliance, and Component Manufacturing

335100 Electric Lighting Equipment Mfg
335200 Household Appliance Mfg
335310 Electrical Equipment Mfg
335900 Other Electrical Equipment & Component Mfg

Transportation Equipment Manufacturing

336100 Motor Vehicle Mfg
336210 Motor Vehicle Body & Trailer Mfg
336300 Motor Vehicle Parts Mfg
336410 Aerospace Product & Parts Mfg
336510 Railroad Rolling Stock Mfg
336610 Ship & Boat Building
336990 Other Transportation Equipment Mfg

Furniture and Related Product Manufacturing

337000 Furniture & Related Product Manufacturing

Miscellaneous Manufacturing

339110 Medical Equipment & Supplies Mfg
339900 Other Miscellaneous Manufacturing

Wholesale Trade

Merchant Wholesalers, Durable Goods

423100 Motor Vehicle & Motor Vehicle Parts & Supplies
423200 Furniture & Home Furnishings
423300 Lumber & Other Construction Materials
423400 Professional & Commercial Equipment & Supplies
423500 Metal & Mineral (except Petroleum)
423600 Electrical & Electronic Goods
423700 Hardware, & Plumbing & Heating Equipment & Supplies
423800 Machinery, Equipment, & Supplies
423910 Sporting & Recreational Goods & Supplies
423920 Toy & Hobby Goods & Supplies
423930 Recyclable Materials
423940 Jewelry, Watch, Precious Stone, & Precious Metals
423990 Other Miscellaneous Durable Goods

Code

Merchant Wholesalers, Nondurable Goods

424100 Paper & Paper Products
424210 Drugs & Druggists' Sundries
424300 Apparel, Piece Goods, & Notions
424400 Grocery & Related Products
424500 Farm Product Raw Materials
424600 Chemical & Allied Products
424700 Petroleum & Petroleum Products
424800 Beer, Wine, & Distilled Alcoholic Beverages
424910 Farm Supplies
424920 Book, Periodical, & Newspapers
424930 Flower, Nursery Stock, & Florists' Supplies
424940 Tobacco & Tobacco Products
424950 Paint, Varnish, & Supplies
424990 Other Miscellaneous Nondurable Goods

Wholesale Electronic Markets and Agents and Brokers

425110 Business to Business Electronic Markets
425120 Wholesale Trade Agents & Brokers

Retail Trade

Motor Vehicle and Parts Dealers

441110 New Car Dealers
441120 Used Car Dealers
441210 Recreational Vehicle Dealers
441221 Motorcycle Dealers
441222 Boat Dealers
441229 All Other Motor Vehicle Dealers
441300 Automotive Parts, Accessories, & Tire Stores

Furniture and Home Furnishings Stores

442110 Furniture Stores
442210 Floor Covering Stores
442291 Window Treatment Stores
442299 All Other Home Furnishings Stores

Electronics and Appliance Stores

443111 Household Appliance Stores
443112 Radio, Television, & Other Electronics Stores
443120 Computer & Software Stores
443130 Camera & Photographic Supplies Stores

Building Material and Garden Equipment and Supplies Dealers

444110 Home Centers
444120 Paint & Wallpaper Stores
444130 Hardware Stores
444190 Other Building Material Dealers
444200 Lawn & Garden Equipment & Supplies Stores

Food and Beverage Stores

445110 Supermarkets and Other Grocery (except Convenience) Stores
445120 Convenience Stores
445210 Meat Markets
445220 Fish & Seafood Markets
445230 Fruit & Vegetable Markets
445291 Baked Goods Stores
445292 Confectionery & Nut Stores
445299 All Other Specialty Food Stores
445310 Beer, Wine, & Liquor Stores

Health and Personal Care Stores

446110 Pharmacies & Drug Stores
446120 Cosmetics, Beauty Supplies, & Perfume Stores
446130 Optical Goods Stores
446190 Other Health & Personal Care Stores

Gasoline Stations

447100 Gasoline Stations (including convenience stores with gas)

Code

Clothing and Clothing Accessories Stores

448110 Men's Clothing Stores
448120 Women's Clothing Stores
448130 Children's & Infants' Clothing Stores
448140 Family Clothing Stores
448150 Clothing Accessories Stores
448190 Other Clothing Stores
448210 Shoe Stores
448310 Jewelry Stores
448320 Luggage & Leather Goods Stores

Sporting Goods, Hobby, Book, and Music Stores

451110 Sporting Goods Stores
451120 Hobby, Toy, & Game Stores
451130 Sewing, Needlework, & Piece Goods Stores
451140 Musical Instrument & Supplies Stores
451211 Book Stores
451212 News Dealers & Newsstands
451220 Prerecorded Tape, Compact Disc, & Record Stores

General Merchandise Stores

452110 Department stores
452900 Other General Merchandise Stores

Miscellaneous Store Retailers

453110 Florists
453210 Office Supplies & Stationery Stores
453220 Gift, Novelty, & Souvenir Stores
453310 Used Merchandise Stores
453910 Pet & Pet Supplies Stores
453920 Art Dealers
453930 Manufactured (Mobile) Home Dealers
453990 All Other Miscellaneous Store Retailers (including tobacco, candle, & trophy shops)

Nonstore Retailers

454110 Electronic Shopping & Mail-Order Houses
454210 Vending Machine Operators
454311 Heating Oil Dealers
454312 Liquefied Petroleum Gas (Bottled Gas) Dealers
454319 Other Fuel Dealers
454390 Other Direct Selling Establishments (including door-to-door retailing, frozen food plan providers, party plan merchandisers, & coffee-break service providers)

Transportation and Warehousing

Air, Rail, and Water Transportation

481000 Air Transportation
482110 Rail Transportation
483000 Water Transportation

Truck Transportation

484110 General Freight Trucking, Local
484120 General Freight Trucking, Long-distance
484200 Specialized Freight Trucking

Transit and Ground Passenger Transportation

485110 Urban Transit Systems
485210 Interurban & Rural Bus Transportation
485310 Taxi Service
485320 Limousine Service
485410 School & Employee Bus Transportation
485510 Charter Bus Industry
485990 Other Transit & Ground Passenger Transportation

Pipeline Transportation

486000 Pipeline Transportation

Scenic & Sightseeing Transportation

487000 Scenic & Sightseeing Transportation

Code

Support Activities for Transportation

488100 Support Activities for Air Transportation
488210 Support Activities for Rail Transportation
488300 Support Activities for Water Transportation
488410 Motor Vehicle Towing
488490 Other Support Activities for Road Transportation
488510 Freight Transportation Arrangement
488990 Other Support Activities for Transportation

Couriers and Messengers

492110 Couriers
492210 Local Messengers & Local Delivery

Warehousing and Storage

493100 Warehousing & Storage (except lessors of miniwarehouses & self- storage units)

Information

Publishing Industries (except Internet)

511110 Newspaper Publishers
511120 Periodical Publishers
511130 Book Publishers
511140 Directory & Mailing List Publishers
511190 Other Publishers
511210 Software Publishers

Motion Picture and Sound Recording Industries

512100 Motion Picture & Video Industries (except video rental)
512200 Sound Recording Industries

Broadcasting (except Internet)

515100 Radio & Television Broadcasting
515210 Cable & Other Subscription Programming

Internet Publishing and Broadcasting

516110 Internet Publishing & Broadcasting

Telecommunications

517000 Telecommunications (including paging, cellular, satellite, cable & other program distribution, resellers, & other telecommunications)

Internet Service Providers, Web Search Portals, and Data Processing Services

518111 Internet Service Providers
518112 Web Search Portals
518210 Data Processing, Hosting, & Related Services

Other Information Services

519100 Other Information Services (including news syndicates & libraries)

Finance and Insurance

Depository Credit Intermediation

522110 Commercial Banking
522120 Savings Institutions
522130 Credit Unions
522190 Other Depository Credit Intermediation

Nondepository Credit Intermediation

522210 Credit Card Issuing
522220 Sales Financing
522291 Consumer Lending
522292 Real Estate Credit (including mortgage bankers & originators)
522293 International Trade Financing
522294 Secondary Market Financing
522298 All Other Nondepository Credit Intermediation

Activities Related to Credit Intermediation

522300 Activities Related to Credit Intermediation (including loan brokers, check clearing, & money transmitting)

Code

Securities, Commodity Contracts, and Other Financial Investments and Related Activities

523110 Investment Banking & Securities Dealing
523120 Securities Brokerage
523130 Commodity Contracts Dealing
523140 Commodity Contracts Brokerage
523210 Securities & Commodity Exchanges
523900 Other Financial Investment Activities (including portfolio management & investment advice)

Insurance Carriers and Related Activities

524140 Direct Life, Health, & Medical Insurance & Reinsurance Carriers
524150 Direct Insurance & Reinsurance (except Life, Health, & Medical) Carriers
524210 Insurance Agencies & Brokerages
524290 Other Insurance Related Activities (including third-party administration of insurance and pension funds)

Funds, Trusts, and Other Financial Vehicles

525100 Insurance & Employee Benefit Funds
525910 Open-End Investment Funds (Form 1120-RIC)
525920 Trusts, Estates, & Agency Accounts
525930 Real Estate Investment Trusts (Form 1120-REIT)
525990 Other Financial Vehicles (including closed-end investment funds)

"Offices of Bank Holding Companies" and "Offices of Other Holding Companies" are located under **Management of Companies (Holding Companies)** on next page.

Real Estate and Rental and Leasing

Real Estate

531110 Lessors of Residential Buildings & Dwellings
531114 Cooperative Housing
531120 Lessors of Nonresidential Buildings (except Miniwarehouses)
531130 Lessors of Miniwarehouses & Self-Storage Units
531190 Lessors of Other Real Estate Property
531210 Offices of Real Estate Agents & Brokers
531310 Real Estate Property Managers
531320 Offices of Real Estate Appraisers
531390 Other Activities Related to Real Estate

Rental and Leasing Services

532100 Automotive Equipment Rental & Leasing
532210 Consumer Electronics & Appliances Rental
532220 Formal Wear & Costume Rental
532230 Video Tape & Disc Rental
532290 Other Consumer Goods Rental
532310 General Rental Centers
532400 Commercial & Industrial Machinery & Equipment Rental & Leasing

Lessors of Nonfinancial Intangible Assets (except copyrighted works)

533110 Lessors of Nonfinancial Intangible Assets (except copyrighted works)

Professional, Scientific, and Technical Services

Legal Services

541110 Offices of Lawyers
541190 Other Legal Services

Code

Accounting, Tax Preparation, Bookkeeping, and Payroll Services

541211 Offices of Certified Public Accountants
541213 Tax Preparation Services
541214 Payroll Services
541219 Other Accounting Services

Architectural, Engineering, and Related Services

541310 Architectural Services
541320 Landscape Architecture Services
541330 Engineering Services
541340 Drafting Services
541350 Building Inspection Services
541360 Geophysical Surveying & Mapping Services
541370 Surveying & Mapping (except Geophysical) Services
541380 Testing Laboratories

Specialized Design Services

541400 Specialized Design Services (including interior, industrial, graphic, & fashion design)

Computer Systems Design and Related Services

541511 Custom Computer Programming Services
541512 Computer Systems Design Services
541513 Computer Facilities Management Services
541519 Other Computer Related Services

Other Professional, Scientific, and Technical Services

541600 Management, Scientific, & Technical Consulting Services
541700 Scientific Research & Development Services
541800 Advertising & Related Services
541910 Marketing Research & Public Opinion Polling
541920 Photographic Services
541930 Translation & Interpretation Services
541940 Veterinary Services
541990 All Other Professional, Scientific, & Technical Services

Management of Companies (Holding Companies)

551111 Offices of Bank Holding Companies
551112 Offices of Other Holding Companies

Administrative and Support and Waste Management and Remediation Services

Administrative and Support Services

561110 Office Administrative Services
561210 Facilities Support Services
561300 Employment Services
561410 Document Preparation Services
561420 Telephone Call Centers
561430 Business Service Centers (including private mail centers & copy shops)
561440 Collection Agencies
561450 Credit Bureaus
561490 Other Business Support Services (including repossession services, court reporting, & stenotype services)

Code

561500 Travel Arrangement & Reservation Services
561600 Investigation & Security Services
561710 Exterminating & Pest Control Services
561720 Janitorial Services
561730 Landscaping Services
561740 Carpet & Upholstery Cleaning Services
561790 Other Services to Buildings & Dwellings
561900 Other Support Services (including packaging & labeling services, & convention & trade show organizers)

Waste Management and Remediation Services

562000 Waste Management & Remediation Services

Educational Services

611000 Educational Services (including schools, colleges, & universities)

Health Care and Social Assistance

Offices of Physicians and Dentists

621111 Offices of Physicians (except mental health specialists)
621112 Offices of Physicians, Mental Health Specialists
621210 Offices of Dentists

Offices of Other Health Practitioners

621310 Offices of Chiropractors
621320 Offices of Optometrists
621330 Offices of Mental Health Practitioners (except Physicians)
621340 Offices of Physical, Occupational & Speech Therapists, & Audiologists
621391 Offices of Podiatrists
621399 Offices of All Other Miscellaneous Health Practitioners

Outpatient Care Centers

621410 Family Planning Centers
621420 Outpatient Mental Health & Substance Abuse Centers
621491 HMO Medical Centers
621492 Kidney Dialysis Centers
621493 Freestanding Ambulatory Surgical & Emergency Centers
621498 All Other Outpatient Care Centers

Medical and Diagnostic Laboratories

621510 Medical & Diagnostic Laboratories

Home Health Care Services

621610 Home Health Care Services

Code

Other Ambulatory Health Care Services

621900 Other Ambulatory Health Care Services (including ambulance services & blood & organ banks)

Hospitals

622000 Hospitals

Nursing and Residential Care Facilities

623000 Nursing & Residential Care Facilities

Social Assistance

624100 Individual & Family Services
624200 Community Food & Housing, & Emergency & Other Relief Services
624310 Vocational Rehabilitation Services
624410 Child Day Care Services

Arts, Entertainment, and Recreation

Performing Arts, Spectator Sports, and Related Industries

711100 Performing Arts Companies
711210 Spectator Sports (including sports clubs & racetracks)
711300 Promoters of Performing Arts, Sports, & Similar Events
711410 Agents & Managers for Artists, Athletes, Entertainers, & Other Public Figures
711510 Independent Artists, Writers, & Performers

Museums, Historical Sites, and Similar Institutions

712100 Museums, Historical Sites, & Similar Institutions

Amusement, Gambling, and Recreation Industries

713100 Amusement Parks & Arcades
713200 Gambling Industries
713900 Other Amusement & Recreation Industries (including golf courses, skiing facilities, marinas, fitness centers, & bowling centers)

Accommodation and Food Services

Accommodation

721110 Hotels (except Casino Hotels) & Motels
721120 Casino Hotels
721191 Bed & Breakfast Inns
721199 All Other Traveler Accommodation
721210 RV (Recreational Vehicle) Parks & Recreational Camps
721310 Rooming & Boarding Houses

Code

Food Services and Drinking Places

722110 Full-Service Restaurants
722210 Limited-Service Eating Places
722300 Special Food Services (including food service contractors & caterers)
722410 Drinking Places (Alcoholic Beverages)

Other Services

Repair and Maintenance

811110 Automotive Mechanical & Electrical Repair & Maintenance
811120 Automotive Body, Paint, Interior, & Glass Repair
811190 Other Automotive Repair & Maintenance (including oil change & lubrication shops & car washes)
811210 Electronic & Precision Equipment Repair & Maintenance
811310 Commercial & Industrial Machinery & Equipment (except Automotive & Electronic) Repair & Maintenance
811410 Home & Garden Equipment & Appliance Repair & Maintenance
811420 Reupholstery & Furniture Repair
811430 Footwear & Leather Goods Repair
811490 Other Personal & Household Goods Repair & Maintenance

Personal and Laundry Services

812111 Barber Shops
812112 Beauty Salons
812113 Nail Salons
812190 Other Personal Care Services (including diet & weight reducing centers)
812210 Funeral Homes & Funeral Services
812220 Cemeteries & Crematories
812310 Coin-Operated Laundries & Drycleaners
812320 Drycleaning & Laundry Services (except Coin-Operated)
812330 Linen & Uniform Supply
812910 Pet Care (except Veterinary) Services
812920 Photofinishing
812930 Parking Lots & Garages
812990 All Other Personal Services

Religious, Grantmaking, Civic, Professional, and Similar Organizations

813000 Religious, Grantmaking, Civic, Professional, & Similiar Organizations (including condominium and homeowners associations)

How To Get California Tax Information

Where To Get Tax Forms and Publications

By Internet – You can view, download, and print California tax forms, instructions, publications, FTB Notices, and Legal Rulings from our Website at **www.ftb.ca.gov**.

By phone – You can order current year California tax forms between 6 a.m. and 8 p.m. Monday through Friday, except holidays.

- Refer to the list in the right column and find the code number for the form you want to order.
- Call (800) 338-0505.
- Select "Business Entity Information."
- Select "Forms and Publications."
- Enter the three-digit code shown to the left of the form title when instructed.

Allow two weeks to receive your order. If you live outside California, please allow three weeks to receive your order.

In person – Many libraries have forms and schedules for you to photocopy (a nominal fee may apply).

Note: Employees at libraries cannot provide tax information or assistance.

By mail – Write to:

TAX FORMS REQUEST UNIT
FRANCHISE TAX BOARD
PO BOX 307
RANCHO CORDOVA CA 95741-0307

Letters

If you write to us, be sure to include your California corporation number or federal employer identification number, your daytime and evening telephone numbers, and a copy of the notice with your letter. Send your letter to:

FRANCHISE TAX BOARD
PO BOX 942857
SACRAMENTO CA 94257-0540

We will respond to your letter within ten weeks. In some cases, we may need to call you for additional information. Do not attach correspondence to your tax return unless the correspondence relates to an item on the return.

General Toll-Free Phone Service

Telephone assistance is available year-round from 7 a.m. until 6 p.m. Monday through Friday, except holidays.

From within the United States . . . . . .(800) 852-5711
From outside the United States (not toll-free) . . . . . .(916) 845-6500
For federal tax questions, call the IRS at . . . . . .(800) 829-1040

Assistance for persons with disabilities
We comply with the Americans with Disabilities Act. Persons with hearing or speech impairment, please call:

TTY/TDD . . . . . (800) 822-6268

Asistencia bilingüe en español:
Asistencia telefónica esta disponible todo el año durante las 7 a.m. y las 6 p.m. lunes a viernes, excepto días festivos.
Dentro de los Estados Unidos, llame al . . . . . .(800) 852-5711
Fuera de los Estados Unidos, llame al
(cargos aplican) . . . . . .(916) 845-6500
Para preguntas sobre impuestos federales,
llame el IRS al . . . . . .(800) 829-1040

California Tax Forms and Publications

817 California Corporation Tax Forms and Instructions.
This booklet contains:
- Form 100, California Corporation Franchise or Income Tax Return;
- Schedule H (100), Dividend Income Deductions
- Schedule P (100), Alternative Minimum Tax and Credit Limitations — Corporations
- FTB 3539, Automatic Extension for Corps and Exempt Orgs
- FTB 3565, Small Business Stock Questionnaire
- FTB 3805Q, Net Operating Loss (NOL) Computation and NOL and Disaster Loss Limitations — Corporations
- FTB 3885, Corporation Depreciation and Amortization

816 California S Corporation Tax Forms and Instructions.
This booklet contains:
- Form 100S, California S Corporation Franchise or Income Tax Return;
- Schedule B (100S), S Corporation Depreciation and Amortization
- Schedule C (100S), S Corporation Tax Credits
- Schedule D (100S), S Corporation Capital Gains and Losses and Built-In Gains
- Schedule H (100S), Dividend Income Deduction
- Schedule K-1 (100S), Shareholder's Share of Income, Deductions, Credits, etc.
- Schedule QS, Qualified Subchapter S Subsidiary (QSub) Information Worksheet
- FTB 3539, Automatic Extension for Corps and Exempt Orgs
- FTB 3805Q, Net Operating Loss (NOL) Computation and NOL Disaster Loss – Corporations

814 Form 109 Booklet, California Exempt Organization Business Income Tax Return
818 Form 100-ES, Corporation Estimated Tax
815 Form 199, California Exempt Organization Annual Information Return and Instructions
802 FTB 3500, Exemption Application

Your Rights As A Taxpayer

FTB's goals include making certain that your rights are protected so that you have the highest confidence in the integrity, efficiency, and fairness of our state tax system. FTB Pub. 4058, California Taxpayers' Bill of Rights, includes information on your rights as a California taxpayer, the Taxpayers' Rights Advocate Program, and how you request written advice from the FTB on whether a particular transaction is taxable.

See "Where To Get Income Tax Forms and Publications," on this page.

☎ Automated Toll-Free Phone Service (Keep This Booklet For Future Use)

Use our automated toll-free phone service to get recorded answers to many of your questions about California taxes and to order current year California business entity tax forms and publications. This service is available in English and Spanish to callers with touch-tone telephones. Have paper and pencil ready to take notes.

Call from within the United States . . . . . (800) 338-0505
Call from outside the United States (not toll-free). . . . . (916) 845-6600

To Order Forms

See "Where to Get Tax Forms and Publications" on the previous page.

To Get Information

You can hear recorded answers to Frequently Asked Questions 24 hours a day, 7 days a week. Call our automated phone service at the number listed above. Select "Business Entity Information," then select "Frequently Asked Questions." Enter the 3-digit code, listed below, when prompted.

Code Filing Assistance

715 If my actual tax is less than the minimum franchise tax, what figure do I put on line 24 of Form 100 or Form 100W?
717 What are the tax rates for corporations?
718 How do I get an extension of time to file?
722 When does my corporation have to file a short-period return?
734 Is my corporation subject to franchise tax or income tax?

S Corporations

704 Is an S corporation subject to the minimum franchise tax?
705 Are S corporations required to make estimated payments?
706 What forms do S corporations file?
707 The tax for my S corporation is less than the minimum franchise tax. What figure do I put on line 22 of Form 100S?

Exempt Organizations

709 How do I get tax-exempt status?
710 Does an exempt organization have to file Form 199?
736 I have exempt status. Do I need to file Form 100 or Form 109 in addition to Form 199?

Minimum Tax and Estimate Tax

712 What is the minimum franchise tax?
714 My corporation is not doing business; does it have to pay the minimum franchise tax?

Billings and Miscellaneous Notices

503 How do I file a protest against a Notice of Proposed Assessment?
723 I received a bill for $250. What is this for?

Corporate Dissolution

724 How do I dissolve my corporation?

Limited Liability Companies (LLC)

750 How do I organize or register an LLC?
752 What tax forms do I use to file as an LLC?
753 When is the annual tax payment due?

Miscellaneous

700 Who do I need to contact to start a business?
701 I need a state Employer ID number for my business. Who do I contact?
703 How do I incorporate?
737 Where do I send my payment?

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