

2008 Trust Accumulation of Charitable Amounts

541-A

For calendar years only.

Name of trust, Name of trustee(s), Address, City, State, ZIP Code, FEIN, and filing instructions.

(If more space is needed, please attach a separate list.)

ANSWER THESE QUESTIONS:

- 1 Date trust was created
2 Were any of the trustees residents of California during any portion of the taxable year?
3 Was the grantor or settlor of the trust a resident of California during the taxable year of the trust?
4 Name and address of grantor or settlor
5 Have you filed a return on Form 541 for the year covered by this return?
6 Do any of the amounts shown on the face of this return differ from the corresponding amounts reported on federal Form 1041-A?
7 Are you required to file federal Form 990-T for the unrelated business and/or lease indebtedness income?

Part I Income and Deductions. See instructions for Form 541. If total income is \$25,000 or less, skip line 1 through line 8 and enter total income on line 9.

Table with 3 columns: Description, Line Number, Amount. Rows include Interest income, Dividends, Business income, Capital gain, Rents, royalties, Farm income, Ordinary gain, Other income, Total income, Interest, Taxes, Charitable deduction, Trustee fees, Attorney fees, Other deductions.

Part II Distributions of Income Set Aside in Prior Taxable Years for Charitable Purposes. See instructions.

Table with 3 columns: Description, Line Number, Amount. Rows include Accumulated income set aside, Income set aside in prior taxable years (17a, 17b, 17c), Total, Balance, Income set aside during current taxable year, Carryover.

Part III Distributions of Principal for Charitable Purposes

Table with 3 columns: Description, Line Number, Amount. Rows include Principal distributed in prior taxable years, Principal distributed during current taxable year (23a, 23b, 23c), Total.

Part IV Balance Sheet. If line 9 is \$25,000 or less, complete only line 38, line 42, and line 45. If books of account do not agree, please reconcile all differences.

		(a)	(b)
		Beginning-of-Year Book Value	End-of-Year Book Value
Assets			
25	Cash — non-interest bearing	25	
26	Savings and temporary cash investments	26	
27	a Accounts receivable	27a	
	b Less: allowance for doubtful accounts	27b	
28	a Notes and loans receivable	28a	
	b Less: allowance for doubtful accounts	28b	
29	Inventories for sale or use	29	
30	Prepaid expenses and deferred charges	30	
31	Investments — U.S. and state government obligations. Attach schedule	31	
32	Investments — corporate stock. Attach schedule	32	
33	Investments — corporate bonds. Attach schedule	33	
34	a Investments — land, buildings, and equipment: basis	34a	
	b Less: accumulated depreciation	34b	
35	Investments — other. Attach schedule	35	
36	a Land, buildings, and equipment (trade or business): basis	36a	
	b Less: accumulated depreciation	36b	
37	Other assets. Describe. ▶	37	
38	Total assets. Add line 25 through line 37 (Must equal line 46)	38	●
Liabilities			
39	Accounts payable and accrued expenses	39	
40	Mortgages and other notes payable. Attach schedule	40	
41	Other liabilities. Describe. ▶	41	
42	Total liabilities. Add line 39 through line 41	42	
Net Assets			
43	Trust principal or corpus	43	●
44	Undistributed income and profits	44	●
45	Total net assets. Add line 43 and line 44	45	
46	Total liabilities and net assets. Add line 42 and line 45	46	

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.		Date	Trustee's SSN/FEIN
	▶ Signature of trustee or officer representing trustee			●
Paid Preparer's Use Only	Preparer's signature ▶	Date	Check if self-employed ▶ <input type="checkbox"/>	Paid preparer's SSN/PTIN
	Firm's name (or yours, if self-employed) and address ▶			●
	May the FTB discuss this return with the preparer shown above (see instructions)?			● <input type="checkbox"/> Yes <input type="checkbox"/> No

Instructions for Form 541-A

Trust Accumulation of Charitable Amounts

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).

What's New

Split-interest trusts described in IRC Section 4947(a)(2) no longer have to file Franchise Tax Board (FTB) Form 541-A, Trust Accumulation of Charitable Amounts. FTB Form 541-B, Charitable Remainder and Pooled Income Trusts Information Return, meets the Revenue and Taxation Code (R&TC) Section 18635 filing requirements for split-interest trusts. Trusts allowed a deduction under IRC Section 642(c) must file FTB Form 541-A. For more information, go to our website at ftb.ca.gov and search for **541-B instructions**.

Third Party Designee – For taxable years beginning on or after January 1, 2008, the fiduciary can designate a third party to discuss the tax return with the FTB. For more information, see Specific Instructions, Signatures.

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, go to our website at 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.

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.

Round Cents to Dollars – Round cents to the nearest whole dollar. For example, round \$50.50 up to \$51 or round \$25.49 down to \$25. If you do not round, the FTB will disregard the cents.

Private Mail Box

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

A Purpose

Use Form 541-A to report the charitable information required by R&TC Section 18635.

B Who Must File

A trustee must file a calendar year Form 541-A for a trust that claims a charitable or other deduction under IRC Section 642(c). Do not file Form 541-A if the following exceptions apply:

- The trustee is required by the terms of the governing instrument and applicable local law to currently distribute all of the income.
- The trust is a charitable trust described in IRC Section 4947(a)(1).
- The trust is a split-interest trust described in IRC Section 4947(a)(2).

A charitable trust is a trust which:

- Is not exempt from taxation under R&TC Section 23701d.
- Has all the unexpired interests devoted to charitable purposes described in IRC Section 170(c).
- Had a charitable contribution deduction allowed for all the unexpired interests under the R&TC.

A split-interest trust is a trust which:

- Is not exempt from taxation under R&TC Section 23701d.
- Has some of the unexpired interests devoted to one or more charitable purposes as described in IRC Section 170(c).
- Has amounts in trust for which a charitable contributions deduction was allowed under the R&TC. Pooled income funds, IRC Section 642(c)(5); charitable remainder annuity trusts, IRC Section 664(d)(1); and remainder unitrusts, IRC Section 664(d)(2) are split-interest trusts.

Simple trusts which received a letter from the FTB granting exemption from tax under R&TC Section 23701d are considered to be corporations for tax purposes. The trust may be required to file Form 199, California Exempt Organization Annual Information Return.

Nonexempt charitable trusts, described in IRC Section 4947(a)(1), must file Form 199.

C When to File

File Form 541-A on or before April 15, 2009. However, if you need additional time to file, California grants an automatic six-month extension. If the tax return is filed by October 15, 2009, the extension will apply.

D Where to File

Mail Form 541-A to:

FRANCHISE TAX BOARD
PO BOX 942840
SACRAMENTO CA 94240-0002

E Internet Access

You can download, view, and print California tax forms and publications from our website at ftb.ca.gov.

Specific Instructions

Part II and Part III

Attach a statement describing in detail the purpose for which charitable disbursements were made from income set aside in prior taxable years and amounts which were paid out of principal for charitable purposes.

Examples of appropriate descriptions are:

- Payments for nursing service.
- Laboratory construction.
- Fellowships.
- Assistance to indigent families (not simply charitable, educational, religious, or scientific).

Part IV

If the balance sheet does not agree with the books of account, all differences must be reconciled in an attached statement.

Signatures

If the fiduciary wants to allow the FTB to discuss its 2008 return with the paid preparer who signed it, check the "Yes" box in the signature area of the return. This authorization applies only to the individual whose signature appears in the "Paid Preparer's Use Only" section of the return. It does not apply to the firm, if any, shown in that section.

If the "Yes" box is checked, the fiduciary is authorizing the FTB to call the paid preparer to answer any questions that may arise during the processing of its return. The fiduciary is also authorizing the paid preparer to:

- Give the FTB any information that is missing from the return
- Call the FTB for information about the processing of the return or the status of any related refund or payments.
- Respond to certain FTB notices about math errors, offsets, and return preparation.

The fiduciary is not authorizing the paid preparer to receive any refund check, bind the trust to anything (including any additional tax liability), or otherwise represent the corporation before the FTB.

The authorization will automatically end no later than the due date (without regard to extensions) for filing the trust's 2009 tax return. If the trust wants to expand the paid preparer's authorization, get form FTB 3520, Power of Attorney Declaration for the Franchise Tax Board. If the trust wants to revoke the authorization before it ends, notify the FTB in writing or call 800.852.5711.