

CALIFORNIA FRANCHISE TAX BOARD

Legal Ruling No. 230

October 28, 1959

STATUTE OF LIMITATIONS – TRANSFEREE LIABILITY

Syllabus:

The extension of the period of limitations prescribed in Section 25702 of the Bank and Corporation Tax Law applies to the transferee whether or not a timely assessment is made against the transferor taxpayer.

The transferee refused to sign waivers of the statute of limitation and directed the attention of the Franchise Tax Board to Section 25702 of the Bank and Corporation Tax Law. The language of Section 25702 contains nothing indicating an intention to make a transferee's liability to assessment dependent upon the making of an assessment against the transferor taxpayer within the time allowed for making such assessment. Flynn v. Commissioner, 77 Fed (2d) 180; California Iron Yards Corp. v. Commissioner, 82 Fed (2d) 776.