

FTB NOTICE

California Franchise Tax Board - Legal Division



P.O. Box 1468
Sacramento, CA 95812-1468

FTB NOTICE 92-11

Telephone: (---) -----
FAX: (---) -----

October 23, 1992

Control Number:
410:BRL:CN-92-0724

SUBJECT: AUTOMATIC PAPERLESS EXTENSIONS, BANK AND CORPORATION TAX LAW

Assembly Bill 3224 (Stats. 1992, Ch. 662) amended Revenue and Taxation Code § 25402 to allow extensions of time to file returns required under the Bank and Corporation Tax Law to be granted without specific written requests by taxpayers.

The Franchise Tax Board will allow an automatic seven-month extension to file without the need to file a written request if the return is filed within seven months of the original due date. This applies to all taxpayers in good standing filing Forms 100 (including REITs REMICs and RICs), 100S, and 100-FEE with an original due date on or after March 15, 1993; and to taxpayers in good standing filing forms 109 and 199 with an original due date on or after May 15, 1993. The extension time period for fiscal and calendar year taxpayers is the original due date plus seven months. This granting of the extension is conditioned on the filing of a return within the automatic extension period.

This extension of time to file is not an extension of time to pay. Tax is due on the original due date of the return without regard to extension. Payment vouchers, similar to estimated tax payment vouchers, will be available as form FTB 3539 for use by taxpayers [*2] which are not subject to electronic funds transfer (EFT) procedures. A delinquent (failure to file) penalty under § 25931 will not be imposed on any return filed by the extended due date. However, if the return is not filed by the extended due date, no extension exists, and the penalty amount will be computed based on the original due date.

The automatic paperless extension previously granted to individuals and entities subject to the Personal Income Tax Law continues to be available. Please refer to FTB Notice 91-3 or FTB Form 3519.

NOTE: ((---)) = Indicates obsolete information.

DRAFTING INFORMATION

The principal author of this notice is Bruce R. Langston of the Franchise Tax Board Legal Division. For further information regarding this notice, contact Mr. Langston at the Franchise Tax Board Legal Division, P.O. Box 1468, Sacramento, CA 95812-1468.