

STATE OF CALIFORNIA
FRANCHISE TAX BOARD
LEGAL DIVISION MS A-260
PO BOX 1720
RANCHO CORDOVA, CA 95741-1720

TITLE 18, CALIFORNIA CODE OF REGULATIONS
ADOPT SECTIONS 24465-3
REGARDING TRANSFER OF APPRECIATED PROPERTY TO INSURER

FINAL TEXT

Section 24465-3, Annual Statement

(a) The annual statement authorized under Revenue and Taxation Code section 24465, subdivision (c), shall include the following information:

(1) Transferor name, California corporation number (if available) and federal employer identification number (FEIN).

(2) Insurer Name, California corporation number (if available) and FEIN.

(3) Taxable year and date of transfer of property to Insurer.

(4) Description and location of property transferred to Insurer.

(5) Fair market value and adjusted basis of transferred property on date of transfer.

(6) Whether the property transferred is used in the active conduct of the Insurer's trade or business.

(7) Whether the Insurer disposed of, in whole or in part, any transferred property during the taxable year.

(8) Whether the Insurer disposed of any transferred property to a member of the transferor's combined reporting group or to another Insurer in the transferor's commonly controlled group during the taxable year.

(9) Whether ownership of the holder of the transferred property has changed during the taxable year.

(10) Taxable year and date of disposition by Insurer.

(11) Description, percentage and location of property disposed of.

(12) Amount realized from disposition and adjusted basis of property disposed of.

(13) If shares of stock were transferred to Insurer, percentage of Insurer or transferred stock (measured by relative fair market value) that was subsequently transferred or disposed of.

(14) Whether Insurer or transferred entity issued additional or canceled existing shares of stock during the taxable year. If so, indicate number of shares outstanding before and after such issuance or cancellation.

(15) Whether Insurer or transferred entity issued another class of stock or type of equity interest.

(16) Whether the equity interest in the transferred entity became worthless.

(17) Signatures of Transferor and Insurer.

(18) Any other information necessary to identify the property transferred and to compute the amount of gain deferred and the amount of gain to be recognized.

(b) The annual statement prescribed herein shall be filed for each taxable year that gain is deferred under Revenue and Taxation Code section 24465, subdivision (b), with the transferor's original return, on a form prescribed by the Franchise Tax Board.

(c) The transferor and any person filing the annual statement shall retain all books and records relating to the contents thereof until such statement is no longer required to be filed and the limitations periods for issuing notices prescribed under Part 10.2, Division 2, of the Revenue and Taxation Code have expired.

NOTE: Authority cited: Section 19503, Revenue and Taxation Code.
Reference: Section 24465, Revenue and Taxation Code