



Bill Analysis

Author: Grove

Sponsor:

Bill Number: SB 1172

Related Bills: See Legislative
History

Amended: March 18, 2024

SUBJECT

California Breast Cancer Research Voluntary Tax Contribution Fund/ California Cancer Research Voluntary Tax Contribution Fund

SUMMARY

This bill, under the Administration of Franchise and Income Tax Laws (AFITL), would extend the last tax year that the California Breast Cancer Research Voluntary Tax Contribution Fund and the California Cancer Research Voluntary Tax Contribution Fund (the Funds) would appear on the return from 2024 to 2031.

RECOMMENDATION

No position.

SUMMARY OF AMENDMENTS

The March 18, 2024, amendments removed the nonsubstantive changes to the Revenue and Taxation Code section 17001 and replaced it with the provisions discussed in this analysis.

This is the Franchise Tax Board's (FTB) first analysis of the bill.

REASON FOR THE BILL

The reason for this bill is to extend the time the Funds would be listed on a California tax return.

ANALYSIS

This bill would extend the tax years the Funds would appear on the tax return. The Funds' provisions would remain in effect until January 1, 2032, instead of January 1, 2025, if the Funds meet the required minimum contribution amount.

This bill would also extend the repeal date of the provisions that apply to the Funds to December 1, 2032.

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Effective/Operative Date

This bill would be effective on January 1, 2025, and operative as of that date.

Federal/State Law

Federal Law

No comparable provision in federal law.

State Law

Current state tax law allows taxpayers to make monetary contributions to any of the 18 voluntary contribution funds listed on the 2023 personal income tax return. Taxpayers contributing to any of the funds are specifically allowed to deduct those contributions on their state income tax return for the year in which the contribution is made. Generally, funds remain on the return until they are either repealed by operation of law or fail to meet a minimum contribution amount.

By September 1 of each calendar year, the FTB is required to determine whether estimated contributions to specified funds will be less than the minimum contribution amount for that calendar year.

If the FTB estimates that contributions to a fund will fail to meet the minimum contribution amount for a calendar year, that fund is repealed effective January 1 of that calendar year.

The following general requirements apply to new or extended voluntary contribution funds:

- The words “voluntary tax contribution” must be included as part of the name of the fund.
- The administering agency’s internet website shall report specific data related to the usage of the amounts received via voluntary contribution.
- A voluntary contribution fund must receive a minimum contribution of \$250,000 for the second calendar year after it first appears on the tax return, and each calendar year thereafter, to remain on the tax return.
- A voluntary tax contribution would remain in effect only until January 1 of the seventh calendar year following the first appearance of the contribution on the tax return and be repealed as of December 1 of that year.

The California Breast Cancer Research Voluntary Tax Contribution Fund and the California Cancer Research Voluntary Tax Contribution Fund are effective only until January 1, 2025, and as of December 1 of that year are repealed. These funds also have a minimum contribution of \$250,000.

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Implementation Considerations

None noted.

Technical Considerations

None noted.

Policy Considerations

None noted.

LEGISLATIVE HISTORY

AB 1828 (Waldron and Wood, 2023/2024) would extend the repeal date of the Rare and Endangered Species Preservation Voluntary Tax Contribution Program and the Native California Wildlife Rehabilitation Voluntary Tax Contribution Fund. This bill is in the Senate pending referral.

AB 2197 (Addis, 2023/2024), would extend the repeal date of the Protect Our Coast and Oceans Voluntary Tax Contribution Fund. This bill is in the Senate pending referral.

AB 2689 (Bains and Kalra, 2023/2024) would extend the repeal date of the California Alzheimer's Disease and Related Dementia Research Voluntary Tax Contribution Fund. This bill is in the Assembly Committee on Appropriations.

AB 559 (Boerner, Chapter 89, Statutes of 2023) extended the tax years that the California Senior Citizen Advocacy Voluntary Tax Contribution Fund would appear on the return from 2023 to 2030 and extended the repeal date from December 1, 2025, to December 1, 2032.

SB 440 (Hertzberg, Chapter 427, Statutes of 2017) extended the repeal date and renamed the California Breast Cancer Research Fund as the California Breast Cancer Research Voluntary Tax Contribution Fund, and the California Cancer Research Fund as the California Cancer Research Voluntary Tax Contribution Fund. The fund would appear on the return from 2018 to 2025.

PROGRAM BACKGROUND

The following are the total annual contributions to the Funds for the past three years:

California Breast Cancer Research Voluntary Tax Contribution Fund:

<u>2021</u>	<u>2022</u>	<u>2023</u>
\$507,426	\$436,035	\$413,725

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California Cancer Research Voluntary Tax Contribution Fund:

<u>2021</u>	<u>2022</u>	<u>2023</u>
\$515,163	\$437,025	\$427,091

FISCAL IMPACT

The FTB's costs to implement this bill have yet to be determined. As the bill moves through the legislative process, costs will be determined.

ECONOMIC IMPACT*Revenue Estimate***California Breast Cancer Research Voluntary Tax Contribution Fund**

This provision of the bill would result in the following revenue loss:

Estimated Revenue Impact of SB 1172 as Amended March 18, 2024
Assumed Enactment after June 30, 2024

Fiscal Year	Revenue
2024-2025	n/a
2025-2026	n/a
2026-2027	-\$9,000

This analysis does not account for changes in employment, personal income, or gross state product that could result from this bill or for the net final payment method of accrual.

Revenue Discussion

This bill, as amended, would extend the last tax year the California Breast Cancer Research Voluntary Tax Contribution Fund could appear on the return from 2024 to 2031 and would extend the repeal date from January 1, 2025, to January 1, 2032.

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The estimate assumes the fund would receive contributions similar to prior years of \$450,000 each year. Approximately 35 percent of taxpayers who contribute to voluntary contribution funds itemize their deductions. It is estimated that the average tax rate for these taxpayers is 6 percent, resulting in an estimated revenue loss for this fund of approximately \$9,000 annually.

Contributions would be made when the 2025 return is filed by April of 2026. Subsequently, the deduction for the contribution would be claimed on the 2026 return filed by April 15, 2027; therefore, the revenue impact would not occur until fiscal year 2026-2027.

California Cancer Research Voluntary Tax Contribution Fund

This provision of the bill would result in the following revenue loss:

Estimated Revenue Impact of SB 1172 as Amended March 18, 2024
Assumed Enactment after June 30, 2024

Fiscal Year	Revenue
2024-2025	n/a
2025-2026	n/a
2026-2027	-\$11,000

This analysis does not account for changes in employment, personal income, or gross state product that could result from this bill or for the net final payment method of accrual.

Revenue Discussion

This bill, as amended, would extend the last tax year the California Cancer Research Voluntary Tax Contribution Fund could appear on the return from 2024 to 2031 and would extend the repeal date from January 1, 2025, to January 1, 2032.

The estimate assumes the fund would receive contributions similar to prior years of \$500,000 in each year. Approximately 35 percent of taxpayers who contribute to voluntary contribution funds itemize their deductions. It is estimated that the average tax rate for these taxpayers is 6 percent, resulting in an estimated revenue loss for this fund of approximately \$11,000 annually.

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Contributions would be made when the 2025 return is filed by April of 2026. Subsequently, the deduction for the contribution would be claimed on the 2026 return filed by April 15, 2027; therefore, the revenue impact would not occur until fiscal year 2026-2027.

LEGAL IMPACT

None noted.

APPOINTMENTS

None noted.

SUPPORT/OPPOSITION

Support

Per the Senate Committee on Revenue and Taxation analysis of SB 1172 (Grove 2023/2024), dated April 5, 2024, the following organizations support this bill:

American Cancer Society Cancer Action Network INC. (Co-Sponsor)
University of California (Co-Sponsor)
Adventist Health System West
Kern County Cancer Foundation

Opponents

Per the same analysis, there are no arguments in opposition.

ARGUMENTS

To be determined.

LEGISLATIVE CONTACT

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