

PART I

ENABLING LEGISLATION SECTION

	<u>Page</u>
ACR 129 – Year 1979	1
<p>This measure requested the California Commission on Aging to call a 1980 session of the California Silver Haired Legislature, which would be comprised of senior citizens and which would propose, debate and make recommendations upon legislation which effects elderly Californians.</p>	
SCR 44 – Year 1982	3
<p>This measure requested the California Commission on Aging to sponsor annual sessions of the California Senior Legislature.</p>	
AB 50 – Year 1983	4
<p>This bill established the California Seniors' Fund in support of the California Senior Legislature and provided the check off line for personal tax returns. The California Commission on Aging is designated as agent to allocate \$75,000 for the annual session and up to \$250,000 for ongoing activities after the costs of collection are paid. A sunset date of December 31, 1986 was specified.</p>	
AB 1386 – Year 1985	6
<p>This bill renamed the California Seniors' Fund the "California Fund for Senior Citizens" and removed the sunset date.</p>	
ACR 157 – Year 1986	9
<p>This measure declared the first week of October as "California Senior Legislature Week."</p>	
SB 1802 – Year 1988	10
<p>This bill established that \$33,000 per year of the \$250,000 allocation to the California Senior Legislature from the California Fund for Senior Citizens be allocated to California Senior Legislature elections.</p>	
AB 281 – Year 1991	12
<p>Deleted the provision that continuously appropriates money in the California Fund for Senior Citizens. A sunset date of January 1, 1997 was provided.</p>	
SB 717 – Year 1993	16
<p>Required that the funds allocated to the California Commission on Aging for the purposes of funding the activities of the California Senior Legislature be spent pursuant to a specified agreement approved by both the Commission and the Joint Rules Committee of the California Senior Legislature and consistent with the bylaws of the California Senior Legislature.</p>	

PART I
ENABLING LEGISLATION SECTION
(Continued)

- SB 1495 – Year 1994** 18
This bill specifically established the California Senior Legislature and imposed certain requirements upon that body. The California Commission on Aging renders such services as are necessary to implement the legislation pursuant to an agreement entered into with the California Senior Legislature. Support for the program is allocated from the California Fund for Senior Citizens. Note that the previous bills affected the Revenue and Taxation Code; this one adds the CSL to the Welfare and Institutions Code.
- SB 548 – Year 1995** 20
It is the intent of the Legislature that the General Fund shall not be liable for any of the costs of the California Senior Legislature.
- SB 1447 – Year 1996** 22
Personal Income Tax Law allowed taxpayers to make contributions in excess of their tax liability to the California Fund for Senior Citizens until January 1, 2000.
- AB 2800 – Year 1996** 24
Established the Mello-Granlund Older Californians Act, beginning at Section 9000 of the Welfare and Institutions Code. The previous provisions for the CSL are restated in sections 9300-9305.
- AB 1697 – Year 1999** 25
Personal Income Tax Law allowed taxpayers to make contributions in excess of their tax liability to the California Fund for Senior Citizens until January 1, 2005 provided at least \$250,000 (and subsequently adjusted for inflation) is contributed each year.
- AB 137 – Year 2003** 26
Extended CSL operation through the California Fund for Seniors until January 1, 2010, and resets the minimum annual requirement on contributions back to \$250,000.
- AB 1994 – Year 2004** 28
Established the California Senior Legislature separation from the California Commission on Aging. Established four-year terms for CSL members.
- SB 1249 – Year 2006**
Restores the \$250,000 minimum requirement and removes the inflation factor when calculating the required funds needed by the California Fund for Senior Citizens.

CALIFORNIA LEGISLATURE - 1979-80 REGULAR SESSION
Assembly Concurrent Resolution No. 129

Introduced by Assemblymen Mello, Thurman, Costa, Rosenthal, Agnos, Bane, Bergeson, Calvo, Chacon, Cline, Duffy, Elder, Felando, Fenton, Frazee, Goggin, Greene, Hayden, Hughes, Imbrecht, Ingalls, Kapiloff, Knox, Leonard, Lockyer, Mangers, McCarthy, Moore, Moorhead, Mori, Mountjoy, Naylor, Papan, Perino, Robinson, Rogers, Statham, Tanner, Torres, Vasconcellos, Maxine Waters, and Wray

(Coauthors: Senators Aiquist, Briggs, Carpenter, Dills, Johnson, Keene, Nejedly, Nielsen, Petris, Rains, Robbins, Sieroty, and Watson)

March 31, 1980

REFERRED TO COMMITTEE ON AGING

Assembly Concurrent Resolution No. 129 - Relative to Silver-Haired Legislature.

LEGISLATIVE COUNSEL'S DIGEST

ACR 129, as introduced, Mello (Aging). Silver-Haired Legislature.

This measure would request the California Commission on Aging to call a 1980 session of the California Silver-Haired Legislature, which shall be comprised of senior citizens, and which shall propose, debate, and make recommendations upon legislation which effects elderly Californians.

This measure would further request that a report of the proceedings of 1980 Silver-Haired Legislature be presented to the State Legislature and that sessions of the Silver-Haired Legislature, if deemed worthwhile, be held annually.

Fiscal committee: yes.

WHEREAS, California with 3 million senior citizens leads the nation as the state with the greatest number of elderly retired residents; and

WHEREAS, Older persons experience serious economic difficulties due to the effects of inflation on their limited retirement incomes; and

WHEREAS, The Legislature each session attempts to address these problems with the introduction of a wide variety of proposals aimed at specific aging issues; and

WHEREAS, We are in a period of diminishing public resources which increasingly limits the state's ability to adequately respond to all of the diverse needs of the elderly; and

WHEREAS, These circumstances require the setting of priorities regarding which aging programs and services are most vital to establish or maintain; and

WHEREAS, Older people, aware of the state's economic condition and knowledgeable about their own situation, deserve the opportunity to speak with a unified voice to the Legislature in setting priorities; and

WHEREAS, The Silver-Haired Legislature as a model legislative session has proven successful in Florida, Georgia, Indiana, Iowa and Missouri; and

WHEREAS, The Silver-Haired Legislature will offer older Californians the forum for setting their legislative priorities; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the California Commission on Aging is hereby requested to call a 1980 Silver-Haired Legislature which shall be comprised of persons elected as delegates from all areas of California to represent their peers in a model legislative session in the State Capitol. The delegates to the Silver-Haired Legislature shall propose and debate legislation which affects the lives of elderly Californians. They shall then select, among those bills passed, the legislation which is of the greatest priority to them; and be it further

Resolved, That a report of the proceedings of the 1980 Silver-Haired Legislature be presented to the Legislature; and be it further

Resolved, That if the Legislature deems it worthwhile, the event shall be conducted annually; and be it further

Resolved, That copies of this resolution be made available to the California Commission on Aging and the Department of Aging and to all parties and agencies that are directly affected by this resolution.

Senate Concurrent Resolution No. 44

RESOLUTION CHAPTER 87

Relative to the Senior Legislature.

(Filed with Secretary of State August 13, 1982.)

LEGISLATIVE COUNSELS DIGEST

SCR 44, Mello. California Senior Legislature.

This measure would commend the California Commission on Aging, the 120 members of the California Senior Legislature, and others for their efforts in making the first session of the California Senior Legislature a success.

This measure would further request the California Commission on Aging to sponsor annual sessions of the California Senior Legislature.

WHEREAS, The California Commission on Aging, with support from numerous private persons and organizations representing older Californians, convened the first session of the California Senior Legislature in July 1981; and

WHEREAS, The commission's action was taken in response to the wishes of the Legislature as expressed in Assembly Concurrent Resolution No. 129 (Res. Ch. 91, Stats. 1980); and

WHEREAS, The 120 members of the California Senior Legislature ably represented the interests of the state's 3.5 million older citizens;

WHEREAS, The 120 members of the California Senior Legislature have demonstrated the value of and the need for the model legislative session known as the California Senior Legislature; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the California Commission on Aging, the 120 members of the first California Senior Legislature, the Office of the Legislative Counsel, the members and staff of the California Legislature, the staff of the various departments of state government who assisted the members and committees of the Senior Legislature, and the numerous private persons and organizations representing older Californians who assisted in convening and holding this first session, be commended for their efforts in making the first session of the Senior Legislature a success; and be it

Resolved, That the Legislature commends the Levi Strauss Foundation for its generous support of the Senior Legislature, and that the Legislature similarly commends the hundreds of individuals and organizations who contributed financially to the support of the Senior Legislature; and be it

Resolved, That the Legislature requests the California Commission on Aging, with the support of all interested persons, to sponsor annual sessions of the California Senior Legislature; and be it further

Resolved, That copies of this resolution be made available to the California Commission on Aging, the members of the first session of the California Senior Legislature, the Department of Aging, and to all parties and agencies that are directly affected by this resolution.

Assembly Bill No. 50

CHAPTER 1039

An act to add and repeal Article 6.5 (commencing with Section 18510) to Chapter 17 of Part 10 of Division 2 of the Revenue and Taxation Code, relating to aging, and making an appropriation therefor.

(Approved by Governor September 22, 1983. Filed with
Secretary of State September 22, 1983.)

LEGISLATIVE COUNSEL'S DIGEST

AB 50, Agnos. California Seniors' Fund.

Under the existing Personal Income Tax Law there is no provision allowing taxpayers to contribute part of their income tax refunds or to designate amounts in excess of their tax liability for the support of the specific activities of older persons.

This bill would allow taxpayers for the 1983, 1984, and 1985 taxable years to designate on their tax returns that a contribution in excess of the tax liability, if any, be made to the California Seniors' Fund, which the bill would create.

This bill would require the Franchise Tax Board to modify the form of tax returns to provide for the designation and to disclose the entity for which the designated funds will be used.

The bill would provide that all money transferred to the fund be appropriated for allocation to the Franchise Tax Board for all costs incurred in connection with its duties under this act and to the California Commission on Aging for allocation to the California Senior Legislature for the conduct of its sessions, with the balance for the California Senior Legislature's ongoing activities on behalf of older persons and for senior citizen direct service programs.

Existing provisions of the Personal Income Tax Law authorize the deduction of certain charitable contributions from adjusted gross income in the computation of taxable income.

This bill would specify that taxpayer designations made pursuant to this bill do not qualify for that deduction.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. Article 6.5 (commencing with Section 18510) is added Chapter 17 of Part 10 of Division 2 of the Revenue and Taxation Code, to read: Article 6.5. Designations to the California Seniors' Fund

18510. (a) Any taxpayer may designate on the tax return that contribution in excess of the tax liability, if any, be made to the California Seniors' Fund established by Section 18511 to be used to conduct the sessions of the California Senior Legislature and to support its ongoing activities on behalf of older persons.

(b) The contribution shall be in full dollar amounts and may be made individually by each signatory on the joint return.

(c) A designation under subdivision (a) shall be made for any taxable year on the initial return for that taxable year, and once made shall be irrevocable.

In the event that payments and credits reported on the return, together with any other credits associated with the taxpayer's account do not exceed the tax liability, if

any, shown thereupon, the return shall be treated as though no designation had been made.

In the event that no designee is specified, the contribution shall, after reimbursement of the direct actual costs of the Franchise Tax Board for the collection and administration of funds under this article, be transferred to the General Fund.

The taxpayer shall be notified in cases where the discrepancy between the amount actually available for designation and the amount designated exceeds ten dollars (\$10).

(d) In the event a taxpayer designates a contribution to more than one account, and the amount available is insufficient to satisfy the total amount designated, the contribution shall be allocated among the designees on a pro rata basis.

(e) The Franchise Tax Board shall revise the forms of the return to include a space labeled the "California Seniors' Fund" to allow for the designation permitted under subdivision (a). The forms shall also include in the instructions the information that the contribution may be in the amount of one dollar (\$1) or more and that the contribution will be used to conduct the sessions of the California Senior Legislature and to support its ongoing activities on behalf of older persons.

(f) No deduction shall be allowed under Article 6 (commencing with Section 17201) of Chapter 3 for any contribution made pursuant to subdivision (a).

18511. There is hereby established in the State Treasury the California Seniors' Fund to receive contributions made pursuant to Section 18510.

The Franchise Tax Board shall notify the Controller of both the amount of money paid by taxpayers in excess of their tax liability and the amount of refund money which taxpayers have designated pursuant to Section 18510 to be transferred to the California Seniors' Fund. The Controller shall transfer from the Personal Income Tax Fund to the California Seniors' Fund an amount not in excess of the sum of the amounts designated by individuals pursuant to Section 18510 for payment into that fund.

18512. Notwithstanding Section 13340 of the Government Code, all money transferred to the California Seniors' Fund pursuant to Section 18511 is hereby continuously appropriated, without regard to fiscal years, for allocation as follows:

(a) To the Franchise Tax Board for reimbursement of all costs incurred by the Franchise Tax Board in connection with its duties under this article.

(b) To the California Commission on Aging for allocation as follows:

(1) To the California Senior Legislature for the 1984 calendar year, and each succeeding calendar year thereafter, the sum of seventy-five thousand dollars (\$75,000), or the balance of the fund if less than that amount remains in the fund, for the conduct of sessions of the California Senior Legislature.

(2) The balance, if any, but not to exceed two hundred fifty thousand dollars (\$250,000), to the California Senior Legislature in any calendar year for its ongoing activities on behalf of older persons.

(3) The balance, if any, to the commission for senior citizen direct service programs through contracts with the Department of Aging.

18513. The provisions of this article shall be applicable to taxes paid and refunds payable for the 1983, 1984, and 1985 taxable years.

18514. This article shall remain in effect until December 31, 1986, and on that date is repealed, unless a later enacted statute, which is chaptered on or before December 31, 1986, deletes or extends that date.

CHAPTER 1460

An act to amend Sections 18510, 18511, and 18512 of the Revenue and Taxation Code; to amend the heading of Article 6.5 (commencing with Section 18510) of Chapter 11 of Part 10 of Division 2 of, and to repeal Sections 18513 and 18514 of the Revenue and Taxation Code relating to aging, and making an appropriation therefor.

(Approved by Governor October 1, 1985 Filed with Secretary of State October 1, 1985)

LEGISLATIVE COUNSEL'S DIGEST

AB 1386, Agnos. Aging designation of contributions on income tax returns.

Existing provisions of the Personal Income Tax Law allow taxpayers for the 1983, 1984, and 1985 taxable years to designate on their tax returns that a contribution in excess of their tax liability, if any, be made to the California Seniors' Fund.

This bill would rename that fund the "California Fund for Senior Citizens" and would extend for an indefinite period of time the authority of taxpayers to designate contributions to the fund on their tax returns.

Existing provisions of the Revenue and Taxation Code continuously appropriate the moneys in the California Seniors' Fund. Because this bill would increase the moneys in the fund by extending the period within which contributions to the fund may be made, it would constitute an appropriation.

This bill would also incorporate the changes in Section 18510 of the Revenue and Taxation Code, which are proposed by AB 47, to become operative only if both AB 47 and this bill are chaptered and this bill is chaptered last.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. The heading of Article 6.5 (commencing with Section 18510) of Chapter 17 of Part 10 of Division 2 of the Revenue and Taxation Code is amended to read:

Article 6.5. Designations to the California Fund for Senior Citizens

SECTION 2. Section 18510 of the Revenue and Taxation Code, as amended by Chapter 159 of the Statutes of 1985, is amended to read:

18510. (a) Any taxpayer may designate on the tax return that a contribution in excess of the tax liability, if any, be made to the California Fund for Senior Citizens established by Section 18511 to be used to conduct the sessions of the California Senior Legislature and to support its ongoing activities on behalf of older persons.

(b) The contribution shall be in full dollar amounts and may be made individually by each signatory on the joint return.

(c) A designation under subdivision (a) shall be made for any taxable year on the initial return for that taxable year, and once made shall be irrevocable.

In the event that payments and credits reported on the return, together with any other credits associated with the taxpayer's account, do not exceed the tax liability, if any, shown thereupon, the return shall be treated as though no designation had been made.

In the event that no designee is specified, the contribution shall, after reimbursement of the direct actual costs of the Franchise Tax Board for the collection and administration of funds under this article, be transferred to the General Fund.

The taxpayer shall be notified in cases where the discrepancy between the amount actually available for designation and the amount designated exceeds ten dollars (\$10).

(d) In the event a taxpayer designates a contribution to more than one account, and the amount available is insufficient to satisfy the total amount designated, the contribution shall be allocated among the designees on a pro rata basis.

(e) The Franchise Tax Board shall revise the forms of the return to include a space labeled the "California Fund for Senior Citizens" to allow for the designation permitted under subdivision (a). The forms shall also include in the instructions the information that the contribution may be in the amount of one dollar (\$1) or more and that the contribution will be used to conduct the sessions of the California Senior Legislature and to support its ongoing activities on behalf of older persons.

SECTION 2.5. Section 18510 of the Revenue and Taxation Code, as amended by Chapter 159 of the Statutes of 1985, is amended to read:

18510. (a) Any taxpayer may designate on the tax return that a contribution in excess of the tax liability, if any, be made to the California Fund for Senior Citizens established by Section 18511 to be used to conduct the sessions of the California Senior Legislature and to support its ongoing activities on behalf of older persons.

(b) The contribution shall be in full dollar amounts and may be made individually by each signatory on the joint return.

(c) A designation under subdivision (a) shall be made for any taxable year on the initial return for that taxable year, and once made shall be irrevocable.

In the event that payments and credits reported on the return, together with any other credits associated with the taxpayer's account, do not exceed the tax liability, if any, shown thereupon, the return shall be treated as though no designation had been made.

In the event that no designee is specified, the contribution shall, after reimbursement of the direct actual costs of the Franchise Tax Board for the collection and administration of funds under this article, be transferred to the General Fund.

The taxpayer shall be notified in cases where the discrepancy between the amount actually available for designation and the amount designated exceeds ten dollars (\$10).

(d) In the event a taxpayer designates a contribution to more than one account, and the amount available is insufficient to satisfy the total amount designated, the contribution shall be allocated among the designees on a pro rata basis.

(e) The Franchise Tax Board shall revise the forms of the return to include a space labeled the "California Fund for Senior Citizens" to allow for the designation permitted under subdivision (a). The forms shall also include in the instructions the information that the contribution may be in the amount of one dollar (\$1) or more and that the contribution will be used to conduct the sessions of the California Senior Legislature and to support its ongoing activities on behalf of older persons.

(f) A deduction shall be allowed under Article 6 (commencing with Section 17201) of Chapter 3 for any contribution made pursuant to subdivision (a).

SECTION 3. Section 18511 of the Revenue and Taxation Code is amended to read:

18511. There is hereby established in the State Treasury the California Fund for Senior Citizens to receive contributions made pursuant to Section 18510.

The Franchise Tax Board shall notify the Controller of both the amount of money paid by taxpayers in excess of their tax liability and the amount of refund money which taxpayers have designated pursuant to Section 18510 to be transferred to the California Seniors' Fund. The Controller shall transfer from the Personal Income Tax Fund to the California Fund for Senior Citizens an amount not in excess of the sum of the amounts designated by individuals pursuant to Section 18510 for payment into that fund.

SECTION 4. Section 18512 of the Revenue and Taxation Code is amended to read:

18512. Notwithstanding Section 13340 of the Government Code, all money transferred to the California Fund for Senior Citizens pursuant to Section 18511 is hereby continuously appropriated, without regard to fiscal years, for allocation as follows:

(a) To the Franchise Tax Board for reimbursement of all costs incurred by the Franchise Tax Board in connection with its duties under this article.

(b) To the California Commission on Aging for allocation as follows:

(1) To the California Senior Legislature for the 1984 calendar year, and each succeeding calendar year thereafter, the sum of seventy-five thousand dollars (\$75,000), or the balance of the fund less than that amount remains in the fund, for the conduct of sessions of the California Senior Legislature.

(2) The balance, if any, but not to exceed two hundred fifty thousand dollars (\$250,000), to the California Senior Legislature in any calendar year for its ongoing activities on behalf of older persons.

(3) The balance, if any, to the commission for senior citizen direct service programs through contracts with the Department of Aging and Long-Term Care.

SECTION 5. Section 18513 of the Revenue and Taxation Code is repealed.

SECTION 6. Section 18514 of the Revenue and Taxation Code is repealed.

SECTION 7. Section 2.5 of this bill incorporates amendments to Section 18510 of the Revenue and Taxation Code proposed by both this bill and AB 47. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 1986, (2) each bill amends Section 18510 of the Revenue and Taxation Code, and (3) this bill is enacted after AB 47, in which case Section 18510 of the Revenue and Taxation Code, as amended by AB 47, shall remain operative only until the operative date of this bill, at which time section 2.5 of this bill shall become operative, and Section 2 of this bill shall not become operative.

RESOLUTION CHAPTER 100

Relative to California Senior Legislature Week.

(Filed with Secretary of State August 25, 1986)

LEGISLATIVE COUNSELS DIGEST

ACR 157, Papan. California Senior Legislature Week.

This measure would declare the first week of October as "California Senior Legislature Week."

WHEREAS, The older people of California, aware of the state's economic conditions and knowledgeable about their own situation, deserve the opportunity to speak with a unified voice to the California Legislature on their own behalf; and

WHEREAS, The California Senior Legislature (CSL) was created by state law in 1981; and

WHEREAS, Consisting of 120 legislators representing 80 assembly districts and 40 senate districts, the members of the CSL are elected throughout the state by their peers 60 years of age and older in elections conducted by the local area agencies on aging; and

WHEREAS, The CSL meets every fall in Sacramento to consider legislative proposals which originate from constituents in their districts and to give priorities to the legislative concerns of the almost four million seniors of California; and

WHEREAS, Only a small portion of CSL activities are supported by public funds, and most of their activities are supported by the voluntary contributions made by California taxpayers who donate through a checkoff provision on their state income tax forms; and

WHEREAS, The CSL members work throughout the year with the official state legislators for the adoption of senior priority legislation adopted at annual CSL sessions; and

WHEREAS, The CSL has been extremely successful to have many of its priorities enacted into law; and

WHEREAS, Of 25 bills sponsored by the CSL in 1985 on subjects ranging from senior housing financing to improved nursing home care, 17 were passed and signed into law; and

WHEREAS, The CSL members conduct their duties with dignity, respect, and honor, performing a vital function for the citizens of the state; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Members take great pride and pleasure in extending their highest commendations to the California Senior Legislature and applaud its members for the vital role which they have played in identifying the needs of all of California's citizens, especially seniors; and be it further

Resolved, That the Members declare the first week of October as "California Senior Legislature Week," and extend to the California Senior Legislature full use of the chambers and committee hearing rooms of the California Senate and Assembly during that time.

CHAPTER 1361

An act to amend Section 18512 of the Revenue and Taxation Code, relating to seniors, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

(Approved by Governor September 25, 1988. Filed with Secretary of State September 26, 1988.)

The people of the State of California do enact as follows:

SECTION 1. Section 18512 of the Revenue and Taxation Code is amended to read:

18512. (a) Notwithstanding Section 13340 of the Government Code, all money transferred to the California Fund for Senior Citizens pursuant to Section

18511 is hereby continuously appropriated, without regard to fiscal years, for annual allocation as follows:

(1) To the Franchise Tax Board and the Controller (for reimbursement of all costs incurred by the Franchise Tax Board and the Controller in connection with its duties under this article.

(2) To the California Commission on Aging for allocation as follows:

(A) To the California Senior Legislature in the 1988-89 fiscal year, and each succeeding fiscal year thereafter, the sum of seventy-five thousand dollars (\$75,000), or the balance of the fund if less than that amount remains in the fund, for the conduct of sessions of the California Senior Legislature.

(B) The balance, if any, but not to exceed two hundred fifty thousand dollars (\$250,000), to the California Senior Legislature for its ongoing activities on behalf of older persons.

Thirty-three thousand dollars (\$33,000) of the balance allocated under this subparagraph, or the entire balance allocated under this subparagraph if the balance is less than thirty-three thousand dollars (\$33,000), shall be specifically allocated annually for the conduct of elections of members of the California Senior Legislature. That amount may be carried over from fiscal years in which there are no elections and accumulated, in an amount not to exceed sixty-six thousand dollars (\$66,000), for use in election years, and any portion of that amount not used in an election year shall be reallocated pursuant to subparagraph (C).

(C) The balance, if any, to the commission for senior citizen direct service programs through contracts with the Department of Aging and Long-Term Care.

(b) All moneys allocated pursuant to paragraph (2) of subdivision (a) may be carried over from the year in which they were received and encumbered in any following year.

(c) The amount allocated pursuant to subparagraphs (A) and (B) of paragraph (2) of subdivision (a) may be adjusted annually, as determined by the Department of Finance, to reflect changes in salary adjustments, price increases, and travel reimbursement adjustments included for all state agencies in the annual Budget Act.

SECTION 2. Money allocated pursuant to subparagraph (A) of paragraph (2) of subdivision (a) of Section 18512 of the Government Code for that portion of the 1988 calendar year immediately preceding the commencement of the 1988-89 fiscal year

shall be allocated in an amount which is proportionate to that part of the calendar year preceding the 1988-89 fiscal year.

SECTION 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to fund the California Senior Legislature in the 1988-89 fiscal year on a state fiscal basis and to provide support for the next election and annual session of the California Senior Legislature, it is necessary that this act take effect immediately.

CHAPTER 477

An act to amend Sections 18504, 18512, 18513, 18765 of the Revenue and Taxation Code, relating to making an appropriation therefor.

(Approved by Governor October 2, 1991. Filed with Secretary of State October 2, 1991.)

LEGISLATIVE COUNSEL'S DIGEST

AB 281, Filante. Income taxes: contributions:

The existing Personal Income Tax Law provides designating on the tax return that a contribution in excess of liability, if any, be made to the State Children's Fund, the California Fund for Senior Citizens, the Endangered and Rare Fish, Wildlife, and Plant Species Conservation and Enhancement Account in the Fish and Game Preservation Fund, the United States Olympic Fund, and the California Alzheimer's Disease and Related Disorders Research Fund. It also provides that these provisions shall remain in effect only until January 1, 1992, and are repealed as of that date unless a later enacted statute which is enacted before that date deletes that date, in which event the provisions are repealed on January 1 of the first year after 1992 for which the Franchise Tax Board estimates by September 1 that the contributions will be less than \$250,000.

This bill would, except with respect to the United States Olympic Fund, change the specified repeal date to January 1, 1997, and if that repeal date is deleted, would continue the authorization for those designations through December 31 of the first calendar year after 1997 for which the Franchise Tax Board estimates that the contributions will be less than \$250,000, as adjusted. The bill would also delete the provision that continuously appropriates money in the California Fund for Senior Citizens.

The existing California Election Campaign Fund Act provides, among other things, that every individual, who is lawfully able to make contributions to qualified political parties in California may designate the payment of specified amounts, in addition to his or her income tax liability, to be paid over to the Campaign Fund in accordance with the provisions of the act. It repeals the act as of January 1, 1992.

Appropriation: yes

The people of the State of California do enact as follows:

SECTION 1. Section 18504 of the Revenue and Taxation Code is amended to read:

18501. (a) This article shall remain in effect only until January 1, 1997, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 1997, deletes that date, in which event subdivision (b) shall apply.

(b) If the repeal date specified in subdivision (a) has been deleted and if, thereafter, in any calendar year the Franchise Tax Board estimates by September 1 that contributions described in this article made on returns filed in that calendar year will be less than two hundred fifty thousand dollars (\$250,000), or the adjusted amount specified in subdivision (c), as may be applicable, then this article is repealed with respect to taxable years beginning on and after January 1 of that calendar year. If necessary, for years after the repeal date in subdivision (a) is deleted, the Franchise

Tax Board shall estimate the annual contribution amount by September 1 of each year using the actual amounts known to be contributed and an estimate of the remaining year's contributions.

(c) For each calendar year, beginning with calendar year 1992, the Franchise Tax Board shall adjust, on or before September 1 of that calendar year, the minimum estimated contribution amount specified in subdivision (b) as follows:

(1) The minimum estimated contribution amount for the calendar year shall be an amount equal to the product of the minimum estimated contribution amount for the prior September 1 multiplied by the inflation factor adjustment as specified in paragraph (2) of subdivision (h) of Section 17041, rounded off to the nearest dollar.

(2) The inflation factor adjustment used for the calendar year shall be based on the figures for the percentage change in the California Consumer Price Index received on or before August 1 of the calendar year pursuant to paragraph (1) of subdivision (h) of Section 17041.

(d) Notwithstanding the repeal of this article, any contribution amounts designated pursuant to this article prior to its repeal shall continue to be transferred and disbursed in accordance with this article as in effect immediately prior to that repeal.

SEC. 2. Section 18512 of the Revenue and Taxation Code is amended to read:

18512. (a) All money transferred to the California Fund for Senior Citizens pursuant to Section 18511, upon appropriation by the Legislature, shall be allocated as follows:

(1) To the Franchise Tax Board and the Controller for reimbursement of all costs incurred by the Franchise Tax Board and the Controller in connection with their duties under this article.

(2) To the California Commission on Aging for allocation as follows:

(A) To the California Senior Legislature, in the 1988-89 fiscal year, and each succeeding fiscal year thereafter, the sum of seventy-five thousand dollars (\$75,000), or the balance of the fund if less than that amount remains in the fund, for the conduct of sessions of the California Senior Legislature.

(B) The balance, if any, but not to exceed two hundred fifty thousand dollars (\$250,000), to the California Senior Legislature for its ongoing activities on behalf of older persons.

Thirty three thousand dollars (\$33,000) of the balance allocated under this subparagraph, or the entire balance allocated under this subparagraph if the balance is less than thirty-three thousand dollars (\$33,000), shall be specifically allocated annually for the conduct of elections of members of the California Senior Legislature. That amount may be carried over from fiscal years in which there are no elections and accumulated, in an amount not to exceed sixty-six thousand dollars (\$66,000), for use in election years, and any portion of that amount not used in an election year shall be reallocated pursuant to subparagraph (C).

(C) The balance, if any, to the commission for senior citizen direct service programs through contracts with the Department of Aging and Long-Term Care.

(b) All moneys allocated pursuant to paragraph (2) of subdivision (a) may be carried over from the year in which they were received and encumbered in any following year.

(c) The amount allocated pursuant to subparagraphs (A) and (B) of paragraph (2) of subdivision (a) may be adjusted annually, as determined by the Department of Finance, to reflect changes in salary adjustments, price increases, and travel reimbursement adjustments included for all state agencies in the annual Budget Act.

SEC. 3. Section 18513 of the Revenue and Taxation Code is amended to read:

18513. (a) This article shall remain in effect only until January 1, 1991, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 1997, deletes that date, in which event subdivision (b) shall apply.

(b) If the repeal date specified in subdivision (a) has been deleted and if, thereafter, in any calendar year the Franchise Tax Board estimates by September 1 that contributions described in this article made on returns filed in that calendar year will be less than two hundred fifty thousand dollars (\$250,000), or the adjusted amount specified in subdivision (c), as may be applicable, then this article is repealed with respect to taxable years beginning on and after January 1 of that calendar year. If necessary, for years after the repeal date in subdivision (a) is deleted, the Franchise Tax Board shall estimate the annual contribution amount by September 1 of each year using the actual amounts known to be contributed and an estimate of the remaining year's contributions.

(c) For each calendar year, beginning with calendar year 1992, the Franchise Tax Board shall adjust, on or before September 1 of that calendar year, the minimum estimated contribution amount specified in subdivision (b) as follows:

(1) The minimum estimated contribution amount for the calendar year shall be an amount equal to the product of the minimum estimated contribution amount for the prior September 1 multiplied by the inflation factor adjustment as specified in paragraph (2) of subdivision (h) of Section 17041, rounded off to the nearest dollar.

(2) The inflation factor adjustment used for the calendar year shall be based on the figures for the percentage change in the California Consumer Price Index received on or before August 1 of the calendar year pursuant to paragraph (1) of subdivision (h) of Section 17041.

(d) Notwithstanding the repeal of this article, any contribution amounts designated pursuant to this article prior to its repeal shall continue to be transferred and disbursed in accordance with this article as in effect immediately prior to that repeal.

SEC. 4. Section 18525 of the Revenue and Taxation Code is amended to read:

18525. (a) This article shall remain in effect only until January 1, 1997, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 1997, deletes that date, in which event subdivision (b) shall apply.

(b) If the repeal date specified in subdivision (a) has been deleted and if, thereafter, in any calendar year the Franchise Tax Board estimates by September 1 that contributions described in this article made on returns filed in that calendar year will be less than two hundred fifty thousand dollars (\$250,000), or the adjusted amount specified in subdivision (c), as may be applicable, then this article is repealed with respect to taxable years beginning on and after January 1 of that calendar year. If necessary, for years after the repeal date in subdivision (a) is deleted, the Franchise Tax Board shall estimate the annual contribution amount by September 1 of each year using the actual amounts known to be contributed and an estimate of the remaining year's contributions.

(c) For each calendar year, beginning with calendar year 1992, the Franchise Tax Board shall adjust, on or before September 1 of that calendar year, the minimum estimated contribution amount specified in subdivision (b) as follows:

(1) The minimum estimated contribution amount for the calendar year shall be an amount equal to the product of the minimum estimated contribution amount for the prior September 1 multiplied by the inflation factor adjustment as specified in paragraph (2) of subdivision (h) of Section 17041, rounded off to the nearest dollar.

(2) The inflation factor adjustment used for the calendar year shall be based on the figures for the percentage change in the California Consumer Price Index received

on or before August 1 of the calendar year pursuant to paragraph (1) of subdivision (h) of Section 17041.

(d) Notwithstanding the repeal of this article, any contribution amounts designated pursuant to this article prior to its repeal shall continue to be transferred and disbursed in accordance with this article as in effect immediately prior to that repeal.

SEC. 5. Section 18545 of the Revenue and Taxation Code is amended to read:

18545. (a) This article shall remain in effect only until January 1, 1997, and as of that date, is repealed unless a later enacted statute, which is enacted before January 1, 1997, deletes that date, in which event subdivision (b) shall apply.

(b) If the repeal date specified in subdivision (a) has been deleted and if, thereafter, in any calendar year the Franchise Tax Board estimates by September 1 that contributions described in this article made on returns filed in that calendar year will be less than two hundred fifty thousand dollars (\$250,000), or the adjusted amount specified in subdivision (c), as may be applicable, then this article is repealed with respect to taxable years beginning on and after January 1 of that calendar year. If necessary, for years after the repeal date in subdivision (a) is deleted, the Franchise Tax Board shall estimate the annual contribution amount by September 1 of each year using the actual amounts known to be contributed and an estimate of the remaining year's contributions.

(c) For each calendar year, beginning with calendar year 1992, the Franchise Tax Board shall adjust, on or before September 1 of that calendar year, the minimum estimated contribution amount specified in subdivision (b) as follows:

(1) The minimum estimated contribution amount for the calendar year shall be an amount equal to the product of the minimum estimated contribution amount for the prior September 1 multiplied by the inflation factor adjustment as specified in paragraph (2) of subdivision (b) of Section 17041, rounded off to the nearest dollar.

(2) The inflation factor adjustment used for the calendar year shall be based on the figures for the percentage change in the California Consumer Price Index received on or before August 1 of the calendar year pursuant to paragraph (1) of subdivision (h) of Section 17041.

(d) Notwithstanding the repeal of this article, any contribution amounts designated pursuant to this article prior to its repeal shall continue to be transferred and disbursed in accordance with this article as in effect immediately prior to that repeal.

SEC. 6. Section 18765 of the Revenue and Taxation Code is amended to read:

18765. This chapter shall remain in effect only until January 1, 1997, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 1997, deletes or extends that date.

CHAPTER 838

An act to amend Section 18512 of the Revenue and Taxation Code, relating to taxpayer contributions.

(Approved by Governor October 5, 1993. Filed with Secretary of State October 6, 1993.)

LEGISLATIVE COUNSELS DIGEST

SB 717, Mello. Income taxes: contributions: designations: California Fund for Senior Citizens.

The existing Personal Income Tax Law provides that any taxpayer may designate on the tax return that a contribution in excess of tax liability, if any, be made to the California Fund for Senior Citizens. Existing law provides that all money in the fund be allocated to the Franchise Tax Board and the Controller for costs incurred in connection with their duties, and to the California Commission on Aging for allocation to the California Senior Legislature, as specified.

This bill would additionally require that the funds allocated to the California Commission on Aging for the purposes of funding the activities of the California Senior Legislature be spent pursuant to a specified agreement approved by both the commission and the Joint Rules Committee of the California Senior Legislature and consistent with the bylaws of the California Senior Legislature.

The people of the State of California do enact as follows:

SECTION 1. Section 18512 of the Revenue and Taxation Code is amended to read:

18512. (a) All money transferred to the California Fund For Senior Citizens pursuant to Section 18511, upon appropriation by the Legislature, shall be allocated as follows:

(1) To the Franchise Tax Board and the Controller for reimbursement of all costs incurred by the Franchise Tax Board and the Controller in connection with their duties under this article.

(2) The balance to the California Commission on Aging for allocation as follows:

(A) To the California Senior Legislature, in the 1988-89 fiscal year, and each succeeding fiscal year thereafter, the sum of seventy-five thousand dollars (\$75,000), or the balance of the fund if less than that amount remains in the fund, for the conduct of sessions of the California Senior Legislature.

(B) The balance, if any, but not to exceed two hundred fifty thousand dollars (\$250,000), to the California Senior Legislature for its ongoing activities on behalf of older persons.

Thirty-three thousand dollars (\$33,000) of the balance allocated under this subparagraph, or the entire balance allocated under this subparagraph if the balance is less than thirty-three thousand dollars (\$33,000), shall be specifically allocated annually for the conduct of elections of members of the California Senior Legislature. That amount may be carried over from fiscal years in which there are no elections and accumulated, in an amount not to exceed sixty-six thousand dollars (\$66,000), for use in election years, and any portion of that amount not used in an election year shall be reallocated pursuant to subparagraph (C).

(C) The balance, if any, to the commission for senior citizen direct service programs through contracts with the Department of Aging and Long-Term Care.

(b) All moneys allocated pursuant to paragraph (2) of subdivision (a) may be carried over from the year in which they were received and encumbered in any following year.

(c) The amount allocated pursuant to subparagraphs (A) and (B) of paragraph (2) of subdivision (a) may be adjusted annually, as determined by the Department of Finance, to reflect changes in salary adjustments, price increases, and travel reimbursement adjustments included for all state agencies in the annual Budget Act.

(d) The funds allocated to the commission for the purposes of funding the activities of the California Senior Legislature shall be spent pursuant to an agreement that is approved by both the commission and the Joint Rules Committee of the California Senior Legislature no later than March 1, 1994, and whose terms are consistent with the by-laws of the California Senior Legislature, established through a majority vote of the California Senior Legislature.

Senate Bill No. 1495

CHAPTER 338

An act to add Chapter 3.5 (commencing with Section 9230) to Part 1 of Division 8.5 of the Welfare and Institutions Code, relating to elderly persons.

(Approved by Governor August 25, 1994. Filed with Secretary of State August 29, 1994.)

LEGISLATIVE COUNSEL'S DIGEST

SB 1495, Mello. California Senior Legislature establishment:

Existing law provides, upon appropriation by the Legislature, for allocation of a portion of the moneys in the California Senior's Special Fund. The commission has used some of these moneys for the operation of the California Senior Legislature.

This bill would specifically establish the California Senior Legislature and would impose certain requirements upon that body. This bill would require the California Commission on Aging to render such services as are necessary to implement the bill, pursuant to an agreement entered into with the California Senior Legislature.

The entire support for the program would be allocated from the California Fund for Senior Citizens.

The people of the State of California do enact as follows:

SECTION 1. Chapter 3.5 (commencing with Section 9250) is added to Part 1 of Division 8.5 of the Welfare and Institutions Code to read:

CHAPTER 3.5. CALIFORNIA SENIOR LEGISLATURE

9250. (a) The Legislature finds and declares that the needs of senior citizens for public programs in health, social services, recreation, transportation, education, housing, cultural services, and other appropriate areas of service can best be assessed by senior citizens.

(b) The Legislature also finds and declares that the California Senior Legislature, having been in continuous service since the first session in 1980 has proved its usefulness in providing model legislation for older citizens and advocating for the needs of seniors, shall be established through this chapter and shall operate according to the procedures set forth in this chapter.

9251. (a) The California Senior Legislature shall be composed of two houses, the California Senior Senate, composed of 40 members, and the California Senior Assembly, composed of 80 members.

(b) Members of the California Senior Legislature shall serve two-year terms.

9252. The members of the California Senior Legislature shall be elected, in all 33 planning and service areas in California, according to rules developed by the California Senior Legislature in cooperation with the California Association of Area Agencies on Aging and the California Commission on Aging.

9253. The California Commission on Aging shall render such services as are necessary to implement this chapter pursuant to an agreement entered into with the California Senior Legislature.

9254. The California Senior Legislature shall have the full authority to define its program and utilize its funds in any way necessary to carry out the duties of this

chapter, provided that no such program or activity is in violation of state law or regulation.

9255. The funds for the California Senior Legislature and the supportive activities of the Commission on Aging for the California Senior Legislature shall be entirely allocated from the California Fund for Senior Citizens.

It is the intent of the Legislature that the General Fund shall not be liable for any of the costs of the California Senior Legislature.

CHAPTER 7

An act to amend Section 18723 of the Revenue and Taxation Code and to amend Section 9255 of the Welfare and Institutions Code, relating to elderly persons, and declaring the urgency thereof, to take effect immediately.

(Approved by Governor May 22, 1995. Filed with Secretary of State May 23, 1995.)

LEGISLATIVE COUNSEL'S DIGEST

SB 548, Mello. California Senior Legislature.

Existing law establishes the California Senior Legislature and allocates money from the California Fund For Senior Citizens to the California Senior Legislature for its ongoing activities and to conduct elections of its members, as specified. Existing law also provides that the entire support for the program is allocated from the California Fund for Senior Citizens.

This bill would, until January 1, 1996, suspend elections of members and would also suspend the allocation of those funds to conduct elections of members. This bill would, instead, provide that funds for the California Senior Legislature shall be allocated from the California Fund for Senior Citizens, private funds directed to the California Legislature or the Commission on Aging for the purpose of funding activities of the California Senior Legislature, or appropriate federal funds.

The bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Section 18723 of the Revenue and Taxation Code is amended to read:

18723. (a) All moneys transferred to the California Fund for Senior Citizens pursuant to Section 18722, upon appropriation by the Legislature, shall be allocated as follows:

(1) To the Franchise Tax Board and the Controller for reimbursement of all costs incurred by the Franchise Tax Board and the Controller in connection with their duties under this article.

(2) The balance to the California Commission on Aging for allocation as follows:

(A) To the California Senior Legislature, in the 1988-89 fiscal year, and each succeeding fiscal year thereafter, the sum of seventy-five thousand dollars (\$75,000), or the balance of the fund if less than that amount remains in the fund, for the conduct of sessions of the California Senior Legislature.

(B) The balance, if any, but not to exceed two hundred fifty thousand dollars (\$250,000), to the California Senior Legislature for its ongoing activities on behalf of older persons.

Thirty-three thousand dollars (\$33,000) of the balance allocated under this subparagraph, or the entire balance allocated under this subparagraph if the balance is less than thirty-three thousand dollars (\$33,000), shall be specifically allocated annually for the conduct of elections of members of the California Senior Legislature. That amount may be carried over from fiscal years in which there are no elections and accumulated, in an amount not to exceed sixty-six thousand dollars (\$66,000), for use in election years, and any portion of that amount not used in an election year shall be

reallocated pursuant to subparagraph (C). However, no elections shall be conducted in 1995 and no funds shall be allocated in 1995 pursuant to this subparagraph for the purpose of conducting elections. Until January 1, 1996, the entire balance, if any, under this subparagraph shall be allocated to the Commission on Aging for the general purpose of supporting the activities of the California Senior Legislature.

(C) The balance, if any, to the commission for senior citizen direct-service programs through contracts with the Department of Aging and Long-Term Care.

(b) All moneys allocated pursuant to paragraph (2) of subdivision (a) may be carried over from the year in which they were received and encumbered in any following year.

(c) The amount allocated pursuant to subparagraphs (A) and (B) of paragraph (2) of subdivision (a) may be adjusted annually, as determined by the Department of Finance, to reflect changes in salary adjustments, price increases, and travel reimbursement adjustments included for all state agencies in the annual Budget Act.

(d) The funds allocated to the commission for the purpose of funding the activities of the California Senior Legislature shall be spent pursuant to an agreement that is approved by both the commission and the Joint Rules Committee of the California Senior Legislature no later than March 1, 1994, and whose terms are consistent with the bylaws of the California Senior Legislature, established through a majority vote of the California Senior Legislature.

SEC. 2. Section 9255 of the Welfare and Institutions Code is amended to read:

9255. The funds for the California Senior Legislature and the supportive activities of the Commission on Aging for the California Senior Legislature shall be allocated from the California Fund for Senior Citizens, private funds directed to the California Legislature or the Commission on Aging for the purpose of funding activities of the California Senior Legislature, or appropriate federal funds. It is the intent of the Legislature that the General Fund shall not be liable for any of the costs of the California Senior Legislature.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to resolve budgetary problems resulting from a loss of funds for the California Senior Legislature, it is necessary that this act take effect immediately.

CHAPTER 494

An act to amend Sections 18724 and 18766 of the Revenue and Taxation Code, relating to taxation.

(Approved by Governor September 14, 1996. Filed with
Secretary of State September 16, 1996)

LEGISLATIVE COUNSEL'S DIGEST

SB 1447, Mello. Income taxes: designations: senior citizens: Alzheimer's disease.

Under the Personal Income Tax Law, taxpayers are allowed until January 1, 1997, to contribute amounts in excess of their tax liability for the support of the California Fund for Senior Citizens or the California Alzheimer's Disease and Related Research Fund.

This bill would extend the operation of those contribution provisions to January 1, 2000.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 18724 of the Revenue and Taxation Code is amended to read:

18724. (a) This article shall remain in effect only until January 1, 2000, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 2000, deletes that date, in which event subdivision (b) shall apply.

(b) If the repeal date specified in subdivision (a) has been deleted and if, thereafter, in any calendar year the Franchise Tax Board estimates by September 1 that contributions described in this article made on returns filed in that calendar year will be less than two hundred fifty thousand dollars (\$250,000), or the adjusted amount specified in subdivision (c), as may be applicable, then this article is repealed with respect to taxable years beginning on or after January 1 of that calendar year. If necessary, for years after the repeal date in subdivision (a) is deleted, the Franchise Tax Board shall estimate the annual contribution amount by September 1 of each year using the actual amounts known to be contributed and an estimate of the remaining year's contributions.

(c) For each calendar year, beginning with calendar year 1992, the Franchise Tax Board shall adjust, on or before September 1 of that calendar year, the minimum estimated contribution amount specified in subdivision (b) as follows:

(1) The minimum estimated contribution amount for the calendar year shall be an amount equal to the product of the minimum estimated contribution amount for the prior September 1 multiplied by the inflation factor adjustment as specified in paragraph (2) of subdivision (h) of Section 17041, rounded off to the nearest dollar.

(2) The inflation factor adjustment used for the calendar year shall be based on the figures for the percentage change in the California Consumer Price Index received on or before August 1 of the calendar year pursuant to paragraph (1) of subdivision (h) of Section 17041.

(d) Notwithstanding the repeal of this article, any contribution amounts designated pursuant to this article prior to its repeal shall continue to be transferred and disbursed in accordance with this article as in effect immediately prior to that repeal.

SEC. 2. Section 18766 of the Revenue and Taxation Code is amended to read:
18766. (a) This article shall remain in effect only until January 1, 2000, and as of that date, is repealed unless a later enacted statute, which is enacted before January 1, 2000, deletes that date, in which event subdivision (b) shall apply.

(b) If the repeal date specified in subdivision (a) has been deleted and if, thereafter, in any calendar year the Franchise Tax Board estimates by September 1 that contributions described in this article made on returns filed in that calendar year will be less than two hundred fifty thousand dollars (\$250,000), or the adjusted amount specified in subdivision (c), as may be applicable, then this article is repealed with respect to taxable years beginning on and after January 1 of that calendar year. If necessary, for years after the repeal date in subdivision (a) is deleted, the Franchise Tax Board shall estimate the annual contribution amount by September 1 of each year using the actual amounts known to be contributed and an estimate of the remaining year's contributions.

(c) For each calendar year, beginning with calendar year 1992, the Franchise Tax Board shall adjust, on or before September 1 of that calendar year, the minimum estimated contribution amount specified in subdivision (b) as follows:

(1) The minimum estimated contribution amount for the calendar year shall be an amount equal to the product of the minimum estimated contribution amount for the prior September 1 multiplied by the inflation factor adjustment as specified in paragraph (2) of subdivision (h) of Section 17041, rounded off to the nearest dollar.

(2) The inflation factor adjustment used for the calendar year shall be based on the figures for the percentage change in the California Consumer Price Index received on or before August 1 of the calendar year pursuant to paragraph (1) of subdivision (h) of Section 17041.

(d) Notwithstanding the repeal of this article, any contribution amounts designated pursuant to this article prior to its repeal shall continue to be transferred and disbursed in accordance with this article as in effect immediately prior to that repeal.

Assembly Bill No. 2800

The Mello-Granlund Older Californians Act

CHAPTER 1097

(Approved by Governor September 29, 1996. Filed with Secretary of State September 30, 1996.)

[This Bill repealed numerous sections of the Health and Safety Code and the Welfare and Institutions Code, including those sections that were enacted by SB 1495, Mello, of 1994 and SB 548, Mello, of 1995. Division 8.5 of the Welfare and Institutions Code is then added as the Older Californians Act. Quoted here are sections 9300-9305 that relate to the California Senior Legislature.]

Chapter 4. California Senior Legislature

9300. (a) The Legislature finds and declares that the needs of senior citizens for public programs in health, social services, recreation, transportation, education, housing, cultural services, and other appropriate areas of service can best be assessed by senior citizens.

(b) The Legislature also finds and declares that the California Senior Legislature, having been in continuous service since first provided for in 1980, and since its first session in 1981, and having proved its usefulness in providing model legislation for older citizens and advocating for the needs of seniors, shall be established through this chapter and shall operate according to the procedures set forth in this chapter.

9301. (a) The California Senior Legislature shall be composed of two houses, the California Senior Senate, composed of 40 members, and the California Senior Assembly, composed of 80 members.

(b) Members of the California Senior Legislature shall serve two-year terms.

9302. The members of the California Senior Legislature shall be elected, in all 33 planning and service areas in California, according to rules developed by the California Senior Legislature in cooperation with the California Association of Area Agencies on Aging and the commission.

9304. The California Senior Legislature shall have the full authority to define its program and utilize its funds in any way necessary to carry out the duties of this chapter, provided that no such program or activity is in violation of state law or regulation.

9305. (a) The funds for the California Senior Legislature and the supportive activities of the commission for the California Senior Legislature shall be allocated from the California Fund for Senior Citizens, private funds directed to the Legislature or the commission for the purpose of funding activities of the California Senior Legislature, or appropriate federal funds.

(b) It is the intent of the Legislature that the General Fund shall not be liable for any of the costs of the California Senior Legislature.

CHAPTER 228

An act to amend Section 18724 of the Revenue and Taxation Code, relating to taxation.

(Approved by Governor August 23, 1999. Filed with Secretary of State August 24, 1999.)

LEGISLATIVE COUNSEL'S DIGEST

AB 1697, Committee on Aging and Long-Term Care. Income taxes: designations: senior citizens.

Under the Personal Income Tax Law, taxpayers are allowed until January 1, 2000, to contribute amounts in excess of their tax liability for the support of the California Fund for Senior Citizens.

This bill would extend the operation of those contribution provisions until January 1, 2005.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 18724 of the Revenue and Taxation Code is amended to read:

18724. (a) This article shall remain in effect only until January 1, 2005, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 2005, deletes that date.

(b) If the Franchise Tax Board estimates by September 1 that contributions described in this article made on returns filed in that calendar year will be less than two hundred fifty thousand dollars (\$250,000) for taxable years beginning in 2001, or the adjusted amount specified in subdivision (C) for any subsequent taxable year, as may be applicable, then this article is repealed with respect to taxable years beginning on or after January 3 of that calendar year. The Franchise Tax Board shall estimate the annual contribution amount by September 1 of each year using the actual amounts known to be contributed and an estimate of the remaining year's contributions.

(c) For each calendar year, beginning with calendar year 2002, the Franchise Tax Board shall adjust, on or before September 1 of that calendar year, the minimum estimated contribution amount specified in subdivision (b) as follows:

(1) The minimum estimated contribution amount for the calendar year shall be an amount equal to the product of the minimum estimated contribution amount for the prior September 1 multiplied by the inflation factor adjustment as specified in paragraph (2) of subdivision (h) of Section 17041, rounded off to the nearest dollar.

(2) The inflation factor adjustment used for the calendar year shall be based on the figures for the percentage change in the California Consumer Price Index received on or before August 1 of the calendar year pursuant to paragraph (1) of subdivision (h) of Section 17041.

(d) Notwithstanding the repeal of this article, any contribution amounts designated pursuant to this article prior to its repeal shall continue to be transferred and disbursed in accordance with this article as in effect immediately prior to that repeal.

CHAPTER 376

An act to amend Section 18724 of the Revenue and Taxation Code, relating to designated taxpayer contributions.

(Approved by Governor September 16, 2003. Filed with Secretary of State September 17, 2003.)

LEGISLATIVE COUNSEL'S DIGEST

AB 137, Correa. Income taxes: designated contributions: senior citizens.

Under the Personal Income Tax Law, taxpayers are allowed, until January 1, 2005, to contribute amounts in excess of their tax liability for the support of the California Fund for Senior Citizens.

Existing law provides for the repeal of the contribution provisions for these funds either on the January 1 following the calendar year for which the Franchise Tax Board estimates that the minimum contribution amount will be less than a prescribed amount or on January 1, 2005, whichever occurs first.

This bill would, under this latter limit, extend the operation of those contribution provisions until January 1, 2010.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 18724 of the Revenue and Taxation Code is amended to read:

18724. (a) This article shall remain in effect only until January 1, 2010, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 2010, deletes that date.

(b) If the Franchise Tax Board estimates by September 1 that contributions described in this article made on returns filed in that calendar year will be less than two hundred fifty thousand dollars (\$250,000) for taxable years beginning in 2001, or the adjusted amount specified in subdivision (c) for any subsequent taxable year, as may be applicable, then this article is repealed with respect to taxable years beginning on or after January 1 of that calendar year. The Franchise Tax Board shall estimate the annual contribution amount by September 1 of each year using the actual amounts known to be contributed and an estimate of the remaining year's contributions.

(c) For each calendar year, beginning with calendar year 2002, the Franchise Tax Board shall adjust, on or before September 1 of that calendar year, the minimum estimated contribution amount specified in subdivision (b) as follows:

(1) The minimum estimated contribution amount for the calendar year shall be an amount equal to the product of the minimum estimated contribution amount for the prior September 1 multiplied by the inflation factor adjustment as specified in paragraph (2) of subdivision (h) of Section 17041, rounded off to the nearest dollar.

(2) The inflation factor adjustment used for the calendar year shall be based on the figures for the percentage change in the California Consumer Price Index received on or before August 1 of the calendar year pursuant to paragraph (1) of subdivision (h) of Section 17041.

(d) Notwithstanding the repeal of this article, any contribution amounts designated pursuant to this article prior to its repeal shall continue to be transferred and disbursed in accordance with this article as in effect immediately prior to that repeal.

CHAPTER 633

An act to amend Section 18723 of the Revenue and Taxation Code, and to amend Sections 9203.5, 9301, 9302, and 9305 of, to add Section 9304.5 to, and to repeal Section 9206 of, the Welfare and Institutions Code, relating to the California Senior Legislature.

(Approved by Governor September 21, 2004. Filed with Secretary of State September 21, 2004.)

LEGISLATIVE COUNSEL'S DIGEST

AB 1994, Berg. California Senior Legislature.

Existing law provides for the allocation of funds contributed to the California Fund for Senior Citizens and appropriated by the Legislature to the California Commission on Aging for allocation to the California Senior Legislature according to a specified formula, with the balance, if any, to the commission for senior citizens direct services programs through contracts with the California Department of Aging and Long-Term Care.

This bill would delete the formula and, instead, would provide for the direct allocation of those funds to the California Senior Legislature, and would provide that the allocated funds shall be spent pursuant to the purview of the Joint Rules Committee of the California Senior Legislature.

Existing law provides that the funds allocated for California Senior Legislature activities be spent no later than March 1, 1994. Existing law provides that the commission may accept gifts on behalf of the California Senior Legislature and requires the commission to implement law relating to the California Senior Legislature pursuant to an agreement entered into with the California Senior Legislature.

This bill would repeal those provisions.

Existing law establishes 2-year terms for members of the California Senior Legislature, and specifies the authority of the California Senior Legislature to define its program and utilize its funds in any way necessary to carry out its duties.

This bill would change the term to a 4-year term for members elected or appointed on and after January 1, 2006, and would require the California Senior Legislature to enter into interagency agreements with a state entity to carry out administrative duties related to its program, and to identify the state entity by May 1, 2005.

Existing law provides that the members of the California Senior Legislature be elected according to rules developed in cooperation with the commission.

This bill would provide that the members of the California Senior Legislature be elected or appointed according to rules developed in cooperation with the California Association of Area Agencies on Aging.

Existing law provides that funds for the supportive activities of the commission be allocated from the California Fund for Senior Citizens, private funds, and federal funds. Existing law provides that funds for the California Senior Legislature be allocated from appropriate federal funds.

This bill would delete those provisions.

This bill would provide that the California Senior Legislature may accept gifts and grants from public or private sources.

This bill would provide that its provisions become operative on July 1, 2006, or when both the Joint Rules Committee of the California Senior Legislature and the

Executive Director of the commission report to the Chief Clerk of the Assembly that the separation of the California Senior Legislature and the commission has been accomplished, whichever is earlier.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. It is the intent of the Legislature to make statutory changes needed to accomplish the separation of the California Senior Legislature and the Commission on Aging in a way that is amicable to both entities.

SEC. 2. Section 18723 of the Revenue and Taxation Code is amended to read: 18723. (a) All moneys transferred to the California Fund for Senior Citizens pursuant to Section 18722, upon appropriation by the Legislature, shall be allocated as follows:

(1) To the Franchise Tax Board and the Controller for reimbursement of all costs incurred by the Franchise Tax Board and the Controller in connection with their duties under this article.

(2) The balance to the California Senior Legislature, for its ongoing activities on behalf of older persons.

(b) All moneys allocated pursuant to paragraph (2) of subdivision (a) may be carried over from the year in which they were received and encumbered in any following year.

(c) The funds allocated to the California Senior Legislature for the purpose of funding the activities of the California Senior Legislature shall be spent pursuant to the purview of the Joint Rules Committee of the California Senior Legislature in a manner consistent with the bylaws of the California Senior Legislature, established through a majority vote of the California Senior Legislature.

SEC. 3. Section 9203.5 of the Welfare and Institutions Code is amended to read: 9203.5. The commission may also accept gifts on behalf of the Area Agency on Aging Advisory Council of California, subject to the provisions of Section 9203, as those provisions apply to the commission.

SEC. 4. Section 9206 of the Welfare and Institutions Code is repealed.

SEC. 5. Section 9301 of the Welfare and Institutions Code is amended to read: 9301. (a) The California Senior Legislature shall be composed of two houses, the California Senior Senate, composed of 40 members, and the California Senior Assembly, composed of 80 members.

(b) Members of the California Senior Legislature shall serve two-year terms.

(c) Notwithstanding subdivision (b), members elected or appointed to the California Senior Legislature on or after January 1, 2006, shall serve four-year terms.

SEC. 6. Section 9302 of the Welfare and Institutions Code is amended to read: 9302. The members of the California Senior Legislature shall be elected or appointed, in all 33 planning and service areas in California, according to rules developed by the California Senior Legislature in cooperation with the California Association of Area Agencies on Aging.

SEC. 7. Section 9304.5 is added to the Welfare and Institutions Code, to read: 9304.5. (a) The California Senior Legislature shall enter into a mutually agreed-upon interagency agreement with a state entity to carry out administrative duties related to its program.

(b) The California Senior Legislature shall identify the state entity for purposes of subdivision (a) by May 1, 2005, in order to meet the budget proposal cycle to achieve a transition of responsibilities in the 2006–07 fiscal year.

(c) This section does not preclude the California Senior Legislature from

entering into mutually agreed-upon interagency agreements for any subsequent fiscal year.

SEC. 8. Section 9305 of the Welfare and Institutions Code is amended to read:

9305. (a) The funds for the California Senior Legislature shall be allocated from the California Fund for Senior Citizens or private funds directed to the Legislature for the purpose of funding activities of the California Senior Legislature.

(b) The California Senior Legislature may accept gifts and grants from any source, public or private, to help perform its functions, pursuant to Section 9304.

SEC. 9. This act shall become operative on July 1, 2006, or when both the Joint Rules Committee of the California Senior Legislature and the Executive Director of the California Commission on Aging report to the Chief Clerk of the Assembly that the separation of the California Senior Legislature and the Commission on Aging has been accomplished, whichever is earlier.

CHAPTER 645

An act to amend Sections 18709, 18716, 18724, 18744, 18766, 18796, 18808, 18830, 18845.3, 18846.3, 18847.3, and 18855 of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

(Approved by Governor September 29, 2006. Filed with
Secretary of State September 29, 2006)

LEGISLATIVE COUNSEL'S DIGEST

SB 1249, Alquist Taxation: contributions.

Under the Personal Income Tax Law, individual taxpayers are allowed to contribute amounts in excess of their tax liability for the support of specified funds or accounts, including, among others, the California Fund for Senior Citizens, the California Military Family Relief Fund, the State Children's Trust Fund for the Prevention of Child Abuse, the Rare and Endangered Species Preservation Program Fund, the California Alzheimer's Disease and Related Disorders Research Fund, the California Breast Cancer Research Fund, the California Peace Officer's Memorial Foundation Fund, the Veterans' Quality of Life Fund, the California Prostate Cancer Research Fund, the California Sexual Violence Victim Services Fund, the California Colorectal Cancer Prevention Fund, and the Emergency Food Assistance Program Fund. That law generally provides for the repeal of the contribution provisions for these funds and accounts on either January 1 of a specified year or on January 1 of an earlier calendar year if the Franchise Tax Board estimates that the annual contribution amount will be less than \$250,000 for the year, or an adjusted amount calculated from an inflation factor, based on the percentage change in the California Consumer Price Index, multiplied by the prior year's estimated contribution amount, as described.

This bill would require the Franchise Tax Board to make its minimum contribution estimates by September 1 of each year, as provided, and would specify the years in which the contribution provisions to these funds and accounts are subject to early repeal. This bill would also require the minimum contribution amount for calendar year 2006, for any voluntary contribution checkoff that appeared on the state income tax return for 2005, to be the same as the minimum contribution amount for calendar year 2005.

This bill would declare that it is to take effect immediately as an urgency statute.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SEC. 3. Section 18724 of the Revenue and Taxation Code is amended to read:

18724. (a) This article shall remain in effect only until January 1, 2010, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 2010, deletes that date.

(b) (1) By September 1, 2006, and by September 1 of each subsequent calendar year that the California Fund for Senior Citizens appears on a tax return, the Franchise Tax Board shall determine whether the amount of contributions estimated to be received during the calendar year will equal or exceed two hundred fifty thousand dollars (\$250,000). The Franchise Tax Board shall estimate the amount of contributions

to be received by using the actual amounts received and an estimate of the contributions that will be received by the end of that calendar year.

(2) The Franchise Tax Board shall provide written notification to the California Senior Legislature of the amount determined pursuant to paragraph (1).

(3) If the Franchise Tax Board determines the amount of contributions estimated to be received during a calendar year will not at least equal the minimum contribution amount for the calendar year, this article is repealed with respect to taxable years beginning on or after January 1 of that calendar year.

(4) For purposes of this section, the minimum contribution amount for a calendar year means two hundred fifty thousand dollars (\$250,000).

(c) Notwithstanding the repeal of this article, any contribution amounts designated pursuant to this article prior to its repeal shall continue to be transferred and disbursed in accordance with this article as in effect immediately prior to that repeal.

SEC. 10. Section 18846.3 of the Revenue and Taxation Code is amended to read:

SEC. 13. Each voluntary contribution checkoff that appeared on the state income tax return for 2005 that was subject to a minimum contribution amount for calendar year 2005, shall be subject to that same minimum contribution amount for calendar year 2006.

SEC. 14. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to provide predictability for the ensuing fiscal year for the recipients of voluntary contributions made on income tax forms, it is necessary that this act take effect immediately.