

ASSEMBLY BILL

No. 62

Introduced by Assembly Member Gray

December 7, 2020

An act to add Sections 17053.60 and 23660 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

LEGISLATIVE COUNSEL'S DIGEST

AB 62, as introduced, Gray. Income taxes: credits: costs to comply with COVID-19 regulations.

The Personal Income Tax Law and the Corporation Tax Law allow various credits against the taxes imposed by those laws. Existing law requires any bill authorizing a new tax credit to contain, among other things, specific goals, purposes, and objectives that the tax credit will achieve, detailed performance indicators, and data collection requirements.

This bill would allow a credit against those taxes for each taxable year beginning on or after January 1, 2021, to a qualified taxpayer, as defined, in an amount equal to the total amount paid or incurred during the taxable year by the qualified taxpayer to comply with the regulations adopted by the Occupational Safety and Health Standards Board on November 19, 2020, relating to COVID-19 prevention and approved by the Office of Administrative Law. The bill also would state the intent of the Legislature to comply with the additional information requirement for any bill authorizing a new income tax credit.

This bill would take effect immediately as a tax levy.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

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

1 SECTION 1. Section 17053.60 is added to the Revenue and
2 Taxation Code, to read:

3 17053.60. (a) For each taxable year beginning on or after
4 January 1, 2021, there shall be allowed a credit against the “net
5 tax,” as defined in Section 17039, to a qualified taxpayer in an
6 amount equal to the total amount paid or incurred during the
7 taxable year by the qualified taxpayer to comply with the
8 regulations adopted by the Occupational Safety and Health
9 Standards Board on November 19, 2020, relating to COVID-19
10 prevention and approved by the Office of Administrative Law.

11 (b) For purposes of this section, “qualified taxpayer” means
12 either of the following:

13 (1) A small business as defined by Section 14837 of the
14 Government Code.

15 (2) An employer that employs a workforce identified by the
16 State Public Health Officer on the list of Essential Critical
17 Infrastructure Workers.

18 SEC. 2. Section 23660 is added to the Revenue and Taxation
19 Code, to read:

20 23660. (a) For each taxable year beginning on or after January
21 1, 2021, there shall be allowed as a credit against the “tax,” as
22 defined in Section 23036, to a qualified taxpayer in an amount
23 equal to the total amount paid or incurred during the taxable year
24 by the qualified taxpayer to comply with the regulations adopted
25 by the Occupational Safety and Health Standards Board on
26 November 19, 2020, relating to COVID-19 prevention and
27 approved by the Office of Administrative Law.

28 (b) For purposes of this section, “qualified taxpayer” means
29 either of the following:

30 (1) A small business as defined by Section 14837 of the
31 Government Code.

32 (2) An employer that employs a workforce identified by the
33 State Public Health Officer on the list of Essential Critical
34 Infrastructure Workers.

35 SEC. 3. It is the intent of the Legislature to comply with Section
36 41 of the Revenue and Taxation Code.

1 SEC. 4. This act provides for a tax levy within the meaning of
2 Article IV of the California Constitution and shall go into
3 immediate effect.

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