



STATE OF CALIFORNIA
Franchise Tax Board

FTB Publication

1001

2018 Supplemental Guidelines to California Adjustments

Advanced Draft
of 02/20/19



Table of Contents

| | |
|--|----|
| What's New | 3 |
| General Information | 3 |
| Income | |
| Wages, Salaries, Tips, etc | 3 |
| Taxable Interest Income | 5 |
| Dividend Income | 5 |
| IRA Distribution | 6 |
| Pensions and Annuities | 6 |
| Health Savings Account (HSA) | 7 |
| Social Security Benefits | 7 |
| Additional Income | |
| Taxable Refunds, Credits, or Offsets of Local Income Taxes | 7 |
| Alimony Received | 7 |
| Business Income or (Loss) – Depreciation, Amortization, and Property Expensing | 7 |
| Business Income or (Loss) – Adjustments to Basis or Business Deductions | 9 |
| Capital Gains or Losses | 11 |
| Other Gains or Losses | 12 |
| Rents, Royalties, Partnerships, Estates, Trusts, etc | 13 |
| Unemployment Compensation | 13 |
| Other Income/Loss | 14 |
| Adjustments to Income | 16 |
| Itemized Deductions | 17 |

Advanced Draft
as of 02/20/19



ONLINE SERVICES

Go to ftb.ca.gov for:

- **MyFTB** – view payments, balance due, and withholding information.
- **Web Pay** – pay income taxes. Choose your payment date up to one year in advance.
- **CalFile** – e-file your personal income tax return.
- **Refund Status** – find out when we authorized your refund.
- **Installment Agreement** – request to make monthly payments.
- **Subscription Services** – sign up to receive emails on a variety of tax topics.
- Tax forms and publications.
- FTB legal notices, rulings, and regulations.
- FTB's analysis of pending legislation.
- Internal procedure manuals to learn how we administer law.

Supplemental Guidelines to California Adjustments

What's New

Federal Tax Reform – The Tax Cuts and Jobs Act (TCJA) signed into law on December 22, 2017, made changes to the Internal Revenue Code (IRC). In general, California Revenue and Taxation Code (R&TC) **does not** conform to the changes. California taxpayers continue to follow the IRC as of the specified date of January 1, 2015, with modifications. For specific adjustments due to the TCJA, see the Schedule CA (540), California Adjustments - Residents, or Schedule CA (540NR), California Adjustments - Nonresidents or Part-Year Residents instructions.

General Information

In general, for taxable years beginning on or after January 1, 2015, California law conforms to the IRC as of January 1, 2015. However, there are continuing differences between California and federal law. When California conforms to federal tax law changes, we do not always adopt all of the changes made at the federal level. For more information, go to ftb.ca.gov and search for **conformity**.

Additional information can be found in the instructions for California Schedule CA (540 or 540NR) and the Business Entity tax booklets.

The instructions provided with California tax forms are a summary of California tax law and are only intended to aid taxpayers in preparing their state income tax returns. We include information that is most useful to the greatest number of taxpayers in the limited space available. It is not possible to include all requirements of the R&TC in the instructions. Taxpayers should not consider the instructions as authoritative law.

Net Operating Loss (NOL) Carryback – NOLs incurred in taxable years beginning on or after January 1, 2013, shall be carried back to each of the preceding two taxable years.

The allowable NOL carryback percentage varies. For an NOL incurred in a taxable year beginning on or after:

- January 1, 2013, and before January 1, 2014, the carryback amount shall not exceed 50% of the NOL.
- January 1, 2014, and before January 1, 2015, the carryback amount shall not exceed 75% of the NOL.
- January 1, 2015, the carryback amount shall be 100% of the NOL.

Individuals, estates, and trusts compute the NOL carryback in Part IV of form FTB 3805V, Net Operating Loss (NOL) Computation and NOL and Disaster Loss Limitations – Individuals, Estates, and Trusts. For more information, get form FTB 3805V.

Election to Waive Carryback – Any taxpayer entitled to a carryback period pursuant to IRC Section 172(b)(3) may elect to relinquish/waive the entire carryback period with respect to an NOL incurred in the 2018 taxable year. By making the election, the taxpayer is electing to carry an NOL forward instead of carrying it back in the previous two years.

To make the election, check the box in Part I under Section C – Election to Waive Carryback, of form FTB 3805V, and attach form FTB 3805V to the tax return. For more information, get form FTB 3805V.

Registered Domestic Partners (RDP) – Under California law, RDPs must file their California income tax returns using either the married/RDP filing jointly or married/RDP filing separately filing status. RDPs have the same legal benefits, protections, and responsibilities as married couples unless otherwise specified.

If you entered into in a same sex legal union in another state, other than a marriage, and that union has been determined to be substantially equivalent to a California registered domestic partnership, you are required to file a California income tax return using either the married/RDP filing jointly or married/RDP filing separately filing status.

For purposes of California income tax, references to a spouse, husband, or wife also refer to a California RDP, unless otherwise specified. When we use the initials RDP they refer to both a California registered domestic “partner” and a California registered domestic “partnership,” as applicable. For more information on RDPs, get FTB Pub. 737, Tax Information for Registered Domestic Partners.

Conformity

For updates regarding federal acts, go to ftb.ca.gov and search for **conformity**.

Purpose

Use these guidelines to make adjustments to federal adjusted gross income that are necessary because of current year or prior year differences between California and federal law. Generally, you report these adjustments directly on Schedule CA (540 or 540NR). If required to make multiple adjustments for any one line on Schedule CA (540 or 540NR), attach a statement to your return summarizing these adjustments.

In some cases you need to complete other forms or schedules to figure the adjustment to carry to Schedule CA (540 or 540NR). See “Order Forms and Publications” in your tax booklet for information about ordering forms or go to ftb.ca.gov/forms.

| ITEM | DIFFERENCES BETWEEN FEDERAL AND CALIFORNIA LAW | WHAT TO DO FOR CALIFORNIA |
|---|--|---|
| Income | | |
| Wages, Salaries, Tips, etc. | | |
| <ul style="list-style-type: none"> • Military pay | Special rules apply to active duty military pay and income from services performed by certain spouses of military personnel. Native Americans with military pay also see “Native American earned income exemption” on page 4. | Get FTB Pub. 1032, Tax Information for Military Personnel, for more information. |
| <ul style="list-style-type: none"> • Combat zone foreign earned income exclusion | For taxable years beginning on and after January 1, 2018, California does not conform to the federal foreign earned income exclusion for amounts received by certain U.S. citizens or resident aliens with an abode in the U.S., specifically contractors or employees of contractors supporting the U.S. Armed Forces in designated combat zones. | Enter the amount excluded from federal income on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21f, column C. |
| <ul style="list-style-type: none"> • Combat zone extended to Egypt's Sinai Peninsula | The TCJA extended combat zone tax benefits to the Sinai Peninsula of Egypt. California does not conform. | Enter the amount of combat pay excluded from federal income on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 1, column C. Get FTB Pub. 1032 for more information. |

| ITEM | DIFFERENCES BETWEEN FEDERAL AND CALIFORNIA LAW | WHAT TO DO FOR CALIFORNIA |
|---|--|---|
| <ul style="list-style-type: none"> Sick pay received under the Federal Insurance Contributions Act and Railroad Retirement Act | <p>California excludes from income the sick pay received under these Acts.</p> | <p>Enter qualifying sick pay included in federal income on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 1, column B.</p> |
| <ul style="list-style-type: none"> Income exempted by U.S. treaties | <p>Income exempted by treaty under federal law may be excluded for California only if the treaty specifically excludes the income for state purposes. If a treaty does not specifically exempt income from state income tax, California requires the reporting of adjusted gross income from all sources.</p> | <p>Enter the amount excluded from federal income on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 1, column C.</p> |
| <ul style="list-style-type: none"> Employee income exclusions for ridesharing fringe benefits | <p>Under federal law and the provisions administered by the Employment Development Department, certain qualified transportation benefits are excluded from gross income. Under the California R&TC, there are no monthly limits for the exclusion of these benefits and California's definitions are more expansive.</p> <p>Federal law provides an income exclusion for the value of qualified parking provided to an employee. Federal law also provides an income exclusion for commuter highway transportation and transit passes provided to an employee.</p> <p>California law provides an income exclusion for compensation or the fair market value of other benefits (except for salary or wages) received for participation in a California ridesharing arrangement (subsidized parking, commuting in a third-party vanpool, a private commuter bus, a subscription taxipool, and monthly transit passes provided for employees and their dependents).</p> | <p>Enter the amount of ridesharing fringe benefits received and included in federal income on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 1, column B.</p> |
| <ul style="list-style-type: none"> California Qualified Stock Options (CQSOs) | <p>California law provides an income exclusion for California qualified stock options (issued on or after January 1, 1997, and before January 1, 2002), that are exercised by an individual who has earned income for the taxable year from the corporation granting the CQSO of \$40,000 or less; and has exercised options for no more than 1,000 shares with a combined fair market value of less than \$100,000 (determined at the time the options are granted). Get FTB Pub. 1004, Stock Option Guidelines, for more information.</p> | <p>Enter on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 1, column B the amount included in federal income that qualifies for the California exclusion.</p> |
| <ul style="list-style-type: none"> Native American earned income exemption | <p>Federal law taxes income received by Indians from reservation sources.</p> <p>California does not tax federally recognized tribal members living in California Indian country who earn income from any federally recognized California Indian country. Military compensation is considered income from reservation sources.</p> <p>Native Americans who are domiciled on an Indian reservation and receive military compensation must refigure any AGI percentage calculation(s) by first subtracting military compensation from Federal AGI.</p> <p>Enrolled members who receive reservation sourced per capita income must reside in their affiliated tribe's Indian country to qualify for tax exempt status. For more information, get form FTB 3504, Enrolled Tribal Member Certification.</p> | <p>Enter on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 1, column B the earnings and/or on line 21f, column B, any other income that is included in federal income that is exempt for California.</p> |
| <ul style="list-style-type: none"> Clergy housing exclusion | <p>Both California and federal law allow members of the clergy an exclusion from income for either the rental value of a home furnished as part of their compensation or for a rental allowance paid as part of their compensation to the extent it is used to provide a home.</p> <p>Effective January 1, 2002, under federal law, the exclusion for the rental allowance is limited to the fair rental value of the home (including furnishings and a garage) and the cost of utilities.</p> <p>California does not limit the exclusion for the rental allowance to the fair rental value of the home.</p> | <p>Enter on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 1, column B the excess housing allowance exclusion allowed for California over the federal exclusion.</p> |

| ITEM | DIFFERENCES BETWEEN FEDERAL AND CALIFORNIA LAW | WHAT TO DO FOR CALIFORNIA |
|--|---|--|
| <ul style="list-style-type: none"> Housing exclusion for state-employed clergy | <p>Effective January 1, 2003, for clergy members employed by the State of California, up to 50% of gross salary may be allocated for either the rental value of a home furnished or the rental allowance paid to them to rent or provide a home.</p> | <p>If the amount of your federal exclusion is less than your California exclusion, enter the adjustment on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 1, column B. If the amount of your federal exclusion is greater than your California exclusion, enter the adjustment on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 1, column C.</p> |
| <ul style="list-style-type: none"> Nonresident employee compensation of merchant seamen, rail carriers, motor carriers, and air carriers | <p>For California, nonresidents may exclude the following from gross income: compensation for the performance of duties of certain merchant seamen and compensation of an employee of a rail carrier, motor carrier, or air carrier.</p> | <p>Enter the amount included in federal income that qualifies for the California exclusion on Schedule CA (540NR), Part II, line 1, column B. Get Pub. 1031, <i>Guidelines for Determining Resident Status</i>, for more information.</p> |
| <ul style="list-style-type: none"> Exclusion for In-Home Supportive Services (IHSS) supplementary payments | <p>California law allows an exclusion from gross income for IHSS supplementary payments received by IHSS providers. IHSS providers only receive a supplementary payment if they paid a sales tax on the IHSS services they provide. The supplementary payment is equal to the sales tax paid plus any increase in the federal payroll withholding paid due to the supplementary payment.</p> | <p>Enter on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 1, column B the IHSS supplementary payments included in federal wages.</p> |
| Taxable Interest Income | | |
| <ul style="list-style-type: none"> Non-California bonds: | | |
| 1) United States | <p>Federal law requires the interest earned on federal bonds (U.S. obligations) to be included in gross income. California does not tax this interest income. The following are not considered U.S. obligations for California purposes: Federal National Mortgage Association (Fannie Mae); Government National Mortgage Association (Ginnie Mae); or Federal Home Loan Mortgage Corporation (Freddie Mac).</p> | <p>Enter the amount of federal bond interest included in federal income on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 2, column B.</p> |
| 2) Other states | <p>Federal law does not tax interest from state or local bonds. California taxes the interest from non-California state and local bonds.</p> | <p>Enter the interest from non-California state or local bonds on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 2, column C.</p> |
| <ul style="list-style-type: none"> Interest income received from settlement payments from individuals persecuted during the Ottoman Turkish Empire from 1915-1923 | <p>California law excludes from gross income, interest income received from settlement payments by individuals persecuted by the regime that was in control of the Ottoman Turkish Empire from 1915 until 1923, or the individual's heirs or estate.</p> | <p>Enter the interest on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 2, column B.</p> |
| <ul style="list-style-type: none"> Exempt interest dividends (Mutual Funds) | <p>California does not tax dividends paid by a fund attributable to interest received from U.S. obligations or California state or municipal obligations IF at least 50% of the fund's assets would be exempt from California tax when held by an individual. California taxes dividends derived from mutual funds that are paid from interest received from obligations (bonds) issued by non-California states or municipalities in other states. The fund will provide a statement regarding the dividends it pays.</p> | <p>If the value of U.S. and California state or municipal obligations is at least 50% of the fund's total assets, enter the amount of exempt interest dividends that are attributed to U.S. obligations included in federal income on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 2, column B.</p> <p>If the taxpayer received any dividends from the fund attributable to obligations issued by non-California states or municipalities within other states that were excluded from the taxpayer's federal income, enter that excluded amount on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 2, column C.</p> |
| Dividend Income | | |
| <ul style="list-style-type: none"> Noncash patronage dividend from farmers' cooperatives or mutual associations | <p>Federal law taxes the dividend in the year of receipt. California permits an election to include the dividend in gross income either when received or when redeemed. Once an election is made, this method must be followed unless a change in the method of reporting is approved by the Franchise Tax Board (FTB).</p> | <p>If you elect or elected to include the dividend in the year redeemed, enter the amount received on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 3, column B. Enter the amount redeemed on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 3, column C.</p> |

| ITEM | DIFFERENCES BETWEEN FEDERAL AND CALIFORNIA LAW | WHAT TO DO FOR CALIFORNIA |
|--|---|--|
| • Controlled Foreign Corporation (CFC) | California taxes CFC dividends in the year distributed rather than in the year earned. | If CFC dividends are earned in one year and distributed in a later year, enter the dividends included in federal income for the year earned on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 3, column B and enter the dividends for the year distributed on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 3, column C. |
| • Distributions of pre-1987 earnings from S corporations | Prior to 1987, California treated all federal S corporations as C corporations. So when a federal S corporation first becomes a California S corporation, its initial accumulated adjustments account (AAA) has a zero balance regardless of the federal AAA balance. If distributions from the S corporation exceed the California balance in the AAA, you have a distribution from pre-1987 earnings. | Enter distributions from pre-1987 earnings (or earnings in any later year that the corporation was a federal S corporation and a California C corporation) on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 3, column C. |
| • Regulated Investment Company (RIC) | California taxes the undistributed capital gain from a RIC in the year distributed rather than in the year earned. | If capital gain from a RIC is earned in one year and distributed in a later year, enter the capital gain included in federal income for the year earned on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 3, column B and enter the capital gain for the year distributed on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 3, column C. |
| IRA Distribution | | |
| • IRA basis adjustments | There may be differences in the taxable amount of the distribution depending on when the contributions were made, if you changed residency status after you first began making contributions to your IRA, or made different deductions for California because of differences between your California and federal self-employment income. You will need to calculate your IRA basis as if you were a California resident for all prior years. | Get FTB Pub. 1005, Pension and Annuity Guidelines, for more information. |
| • Roth IRAs | Federal law and California law are the same regarding contributions, conversions, and distributions. However, the taxable amount of a distribution may not be the same because of basis differences. | Get FTB Pub. 1005 for more information. |
| Pensions and Annuities | | |
| • Railroad retirement benefits | California does not tax railroad retirement benefits reported on federal Form RRB-1099-R, Annuities or Pensions by the Railroad Retirement Board, or RRB-1099, Payments by the Railroad Retirement Board. | Enter on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 4, column B, the amount of tier 1 (non-Social Security equivalent) or tier 2 railroad retirement benefits included in adjusted gross income on your federal return. Get FTB Pub. 1005, for more information. |
| • Pension plan – small business tax credit for new retirement plan expenses | Federal law allows an income tax credit for 50% of the first \$1,000 in administrative and retirement-education expenses for any small business that adopts a new qualified defined benefit or defined contribution plan. The federal deduction is reduced by the amount of the credit. California has no similar credit. | Enter the amount of the income tax credit on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 12, line 17, or line 18, column B. |
| • Employer-sponsored pensions and annuities (for annuity starting dates after July 1, 1986, and before January 1, 1987) if you elected to use the “three-year rule” for California | Under federal law, no “three-year rule” is allowed for any individual whose annuity starting date is after July 1, 1986. Under California law, an individual whose annuity starting date was after July 1, 1986, and before January 1, 1987, could elect to use the “three-year rule” if: 1) the employer paid part of the cost and 2) during the three years from the date of the first annuity payment, the total amount receivable will equal or exceed the cost (investment) in the contract. | If your annuity starting date was after July 1, 1986, and before January 1, 1987, and you elected to use the three-year recovery rule for California, an adjustment is required. Enter the difference on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 4, column C. Get FTB Pub. 1005 for more information. |
| • Canadian Registered Retirement Savings Plans (RRSP) | Under both federal and California law, the RRSP does not qualify as an Individual Retirement Account (IRA) and does not receive IRA treatment. The federal treaty that allows taxpayers to elect to defer taxation on their RRSP earnings until the time of distribution does not apply for California income tax purposes. California residents must include their RRSP earnings in their taxable income in the year earned. | Enter on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 2, line 3, or line 13, column C, the earnings from the RRSP. |

| ITEM | DIFFERENCES BETWEEN FEDERAL AND CALIFORNIA LAW | WHAT TO DO FOR CALIFORNIA |
|---|--|---|
| Health Savings Account (HSA) | | |
| • Contributions | Federal law allows taxpayers a deduction for contributions to an HSA account. Contributions made on behalf of an eligible individual by an employer are excluded from W-2 wages. California does not conform to this provision. | Enter the amount from Schedule CA (540), Part I or Schedule CA (540NR), Part II, column A, line 25, in column B, line 25. Enter the amount of any employer contribution from federal Form W-2, line 12, code W on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 1, column C. |
| • Distributions | Distributions that are not used for qualified medical expenses are includible in federal gross income. The amount taxable under federal law, less interest and dividend income previously taxed by California, is not taxable by California. | Enter the required adjustment from Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21f, column A, in line 21f, column B. |
| • Interest/Dividend Income | Federal law allows taxpayers to exclude from gross income the interest and dividends earned on HSAs. California does not conform. Therefore, all interest earned and any taxable dividends earned on HSAs are taxable in the year earned. As a result of this tax treatment, the taxpayer has a California basis in the HSA account. | Enter the current year interest earned as an adjustment on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 2, column C. Enter the current year taxable dividends as an adjustment on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 3, column C. |
| • Archer Medical Savings Account (Archer MSA) Distribution | Generally, federal law and California law are the same. However, since California does not recognize Health Savings Accounts (HSAs), a rollover from an MSA to an HSA is treated as a distribution not used for qualified medical expense. For California, the distribution is included in California taxable income and the additional 12.5% tax applies (R&TC Section 17215). | Enter the amount distributed, less interest or dividend earnings previously taxed by California, on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21f, column C. |
| Social Security Benefits | | |
| • Social security benefits and equivalent tier 1 railroad retirement benefits | California does not tax social security benefits and equivalent tier 1 railroad retirement benefits. | Enter on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 5, column B, the amount of social security benefits and equivalent tier 1 railroad retirement benefits you included in adjusted gross income on your federal return. |
| Additional Income | | |
| Taxable Refunds, Credits, or Offsets of Local Income Taxes | | |
| • State income tax refund | Federal law includes the state income tax refund in income. California excludes the state income tax refund from income. | Enter the amount of state income tax refund included in federal income on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 10, column B. |
| Alimony Received | | |
| • Alimony received by a nonresident alien | For a nonresident alien, alimony received which was not included on the federal return must be included on the California return. | Enter the amount not included in federal income on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 11, column C. |
| Business Income or (Loss) — Depreciation, Amortization, and Property Expensing | | |
| • Income from a business, trade, or profession conducted partially in California | If a nonresident owns a business, trade, or profession carried on within California that is an integral part of a unitary business carried on both within and outside California, the amount of such income having its source in California is determined in accordance with the provisions of R&TC Sections 25120 through 25141. | Gross income from the entire business, trade, or profession is included in the nonresident's adjusted gross income from all sources. The nonresident's California source business income is generally determined by an apportionment formula. Refer to Cal. Code Regs., tit. 18, section 17951. |
| • Asset expense election (IRC Section 179) | Federal limitation amounts are different than California limitation amounts. California allows an expense election up to \$25,000 and California phaseout starts at \$200,000. For qualified section 179 Gulf Opportunity Zone property, the maximum deduction is higher than the deduction for most section 179 property. Federal law allows a Section 179 expense election for off-the-shelf software and certain qualified real property; California does not conform. | Use form FTB 3885A, Depreciation and Amortization Adjustments, to figure the adjustment to make on Schedule CA (540 or 540NR). |

| ITEM | DIFFERENCES BETWEEN FEDERAL AND CALIFORNIA LAW | WHAT TO DO FOR CALIFORNIA |
|---|---|--|
| • MACRS recovery period for nonresidential real property | For federal purposes, the recovery period for nonresidential real property is 39 years. California conformed to this provision on January 1, 1997. The California recovery period of 31.5 years should be used for property placed in service on or after May 13, 1993, and before January 1, 1997. | Use form FTB 3885A to figure the adjustment to make on Schedule CA (540 or 540NR). |
| • Depreciation of assets acquired prior to January 1, 1987 | Federal law allowed the rapid write-off of tangible personal property and buildings over recovery periods which were shorter than economic useful lives under the Accelerated Cost Recovery System (ACRS). California law in general did not conform to federal law but did allow ACRS for certain residential rental property constructed in California on or after July 1, 1985, and before January 1, 1987. | Use form FTB 3885A to figure the adjustment to make on Schedule CA (540 or 540NR). |
| • Additional depreciation (IRC Section 168(k)) | Federal law allows an additional 30% first-year depreciation deduction and AMT depreciation adjustment for property placed in service after September 10, 2001. The first-year depreciation deduction is increased to 50% for property placed in service after May 5, 2003. For assets placed in service on or after September 11, 2001, and before January 1, 2005, California did not conform to these provisions. Federal law allows an additional 50% first-year special depreciation for certain qualified property acquired before September 28, 2017, and placed in service after September 27, 2017. The percentage is phased down from 50 percent by 10 percent per calendar year beginning in 2018. California did not conform to this provision. The TCJA increased the amount of the additional first-year depreciation allowance from 50% to 100% for certain qualified property acquired and placed in service after September 27, 2017, and before January 1, 2023. The 100% allowance is phased down by 20% per calendar year for property placed in service in taxable years beginning after 2022. The additional first-year depreciation deduction is allowed for new and used property. California does not conform to this provision. | Use form FTB 3885A to figure the adjustment to make on Schedule CA (540 or 540NR). |
| • Amortization of goodwill and certain other intangibles | Property classified as IRC Section 197 property under federal law is also Section 197 property for California purposes. However, for Section 197 property acquired before January 1, 1994, the California basis as of January 1, 1994, must be amortized over the remaining federal amortization period. | Use form FTB 3885A to figure the adjustment to make on Schedule CA (540 or 540NR). |
| • Business property moves into California | Depreciation methods and useful lives of trade or business property must be acceptable to California. | If an unacceptable method was used before the move into California, use the straight-line method to compute the basis in the property. |
| • Amortization of pollution control facilities | Both California and federal law provide for accelerated write-off of pollution control facilities. California law only allows the write-off of facilities located in California. | Enter the amortization for the California facilities on form FTB 3885A. Compare the California amortization to the federal amortization and enter the difference on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 12, line 17, or line 18, column C. |
| • Expenditure for tertiary injectants incurred in the crude oil industry | Federal law allows a deduction for the cost of tertiary injectants which are part of a tertiary recovery system. California law allows a depreciation deduction if the tertiary injectant qualifies as property used in a trade or business or is held for the production of income. | Enter the amount of tertiary injectants deducted on your federal return on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 12, column C. Attach a schedule reflecting the depreciation computation of tertiary injectants placed in service during the taxable year. Then complete form FTB 3885A. |
| • Reduced recovery periods for fruit bearing grapevines replaced in a California vineyard on or after January 1, 1992, as a result of phylloxera infestation on or after January 1, 1997, as a result of Pierce's disease | Federal law generally requires a 10-year recovery period for fruit bearing vines for purposes of accelerated cost recovery and a 20-year recovery period for those vines under an alternative depreciation system. California law allows 5 and 10-year recovery periods, respectively. | Prepare a schedule reflecting the depreciation computation of grapevines placed in service on or after January 1, 1992, (for phylloxera infestation), and placed in service on or after January 1, 1997, (for Pierce's disease). Then complete form FTB 3885A and attach it and your depreciation schedule to your return. |

| ITEM | DIFFERENCES BETWEEN FEDERAL AND CALIFORNIA LAW | WHAT TO DO FOR CALIFORNIA |
|--|--|--|
| • Income forecast method of depreciation | For assets placed in service after August 5, 1997, federal law limits the income forecast method of depreciation to film, video tape, sound recordings, copyrights, books, patents, and other property to be specified by federal regulations. California conformed to this limitation for assets placed in service after December 31, 1997. | Use form FTB 3885A to figure the depreciation adjustment to enter on Schedule CA (540 or 540NR). |
| • Depreciation limitation (IRC Section 280F) | California does not conform to the federal modification to depreciation limitations on luxury automobiles under IRC Section 280F. | Use form FTB 3885A to figure the adjustment to make on Schedule CA (540 or 540NR). |
| • Start-up expenses (IRC Section 195) | For tax years beginning on or after January 1, 2011, California conforms to the federal treatment of start-up expenses under IRC Section 195. For tax year 2010, federal law increased the deduction for start-up expenses under IRC Section 195 from \$5,000 to \$10,000 and the phaseout threshold from \$50,000 to \$60,000. California did not conform to these federal increases for tax year 2010. Start-up expenses not deducted for tax year 2010 can continue to be amortized ratably over the remaining 180-month period. | Use form FTB 3885A to figure the amortization adjustment to enter on Schedule CA (540 or 540NR). |
| Business Income or (Loss) — Adjustments to Basis or Business Deductions | | |
| • Limitation on deduction of business interest | Under the TCJA, every business, regardless of its form, is generally subject to a disallowance of a deduction for net interest expense in excess of 30% of the business's adjustable taxable income. California does not conform. | Figure the difference between the amounts allowed using federal law and California law. Enter the difference on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 12, column B. |
| • Limitation on employer's deduction for fringe benefit expenses | Under the TCJA, deductions for entertainment expenses are disallowed; the current 50% limit on the deductibility of business meals is expanded to meals provided through an in-house cafeteria or otherwise on the premises of the employer; deductions for employee transportation fringe benefits (e.g., parking and mass transit) are denied; and no deduction is allowed for transportation expenses that are the equivalent of commuting for employees (e.g., between the employee's home and the workplace), except as provided for the safety of the employee. California does not conform. | Figure the difference between the amounts allowed using federal law and California law. Enter the difference on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 12, column B or column C. |
| • Limitation on wagering losses | Under the TCJA, all deductions for expenses incurred in carrying out wagering transactions, and not just gambling losses, are limited to the extent of gambling winnings. California does not conform. | Figure the difference between the amounts allowed using federal law and California law. Enter the difference on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 12, column B. |
| • Sexual harassment settlements | Under the TCJA, no deduction is allowed for any settlement, payout, or attorney fees related to sexual harassment or sexual abuse if such payments are subject to a nondisclosure agreement. California does not conform. | Enter the amount received and included in federal income on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 12, column B. |
| • Penalty assessed by professional sports league | Federal law allows a deduction for a business expense deduction on any fine or penalty paid or incurred by an owner of a professional sports franchise assessed or imposed by the professional sports league. | Enter the amount of business expense deduction reported on your federal return on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 12, column C. |
| • Cancellation of debt income (CODI) | California did not conform to the federal election under IRC Section 108(i) to defer the recognition of CODI in connection with the reacquisition of an applicable debt instrument after December 31, 2008, and before January 1, 2011. The deferral period is five taxable years for CODI generated in 2009, or four taxable years for CODI generated in 2010. | For federal tax purposes, at the end of the deferral period the income is reported ratably over the next five years (taxable years beginning on or after January 1, 2014 and before January 1, 2019). If for California purposes, the CODI had been included in income during previous taxable years and you recognized the CODI for federal tax purposes in the current year, enter the federal CODI amount on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 12, line 17, or line 18, column B. |

| ITEM | DIFFERENCES BETWEEN FEDERAL AND CALIFORNIA LAW | WHAT TO DO FOR CALIFORNIA |
|--|---|---|
| • Donated agricultural products transportation credit | Federal law has no comparable credit. Under California law, deductions are not allowed for the portion of expenses equal to the credit. | Enter on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 12, line 17, or line 18, column C, the portion of the deduction claimed on your federal return that was used to claim the California credit. |
| • Farmworker housing credit | The Farmworker Housing Credit is expired. The credit was allowed from each taxable year beginning on January 1, 1997 and before January 1, 2009. The credit carryover is allowed until exhausted. Federal law has no comparable credit. | Get form FTB 3540, Credit Carryover and Recapture Summary. |
| • Rice straw credit | The Rice Straw Credit is expired. The credit was allowed for each taxable year beginning on January 1, 1997, and before January 1, 2008. The credit carryover is allowed for up to ten taxable years after the credit was generated or until the credit is exhausted, whichever occurs first. Federal law has no comparable credit. | Get form FTB 3540, Credit Carryover and Recapture Summary. |
| • Clean fuel vehicles first year deduction | California has not conformed with federal law for the first year deduction on Clean Air Fuel. | Add the amount deducted from federal income to the total on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 36, column B. |
| • Basis adjustment for sales or use tax credit for property used in a former Enterprise Zone (EZ), LAMBRA, Targeted Tax Area (TTA), or LARZ. | Federal law has no comparable credit, but IRC Section 164(a) requires an increase in basis for the amount of sales or use tax paid. Under California law, depreciation is computed based on cost, without regard to the sales or use tax allowed as a credit. Federal and state basis will differ due to the increase in federal basis by the addition of the sales or use tax. The sales or use tax credit could only be taken on qualified property purchased on or before December 31, 2013, and placed in service on or before December 31, 2014. | Complete form FTB 3885A, Part III if you are depreciating the cost of the property in excess of the allowable credit. |
| • Credit for employer-paid child care center and services | The Employer Childcare Program Credit has expired. The credit was allowed from each taxable year beginning on January 1, 1994 and before January 1, 2012. The credit carryover is allowed until exhausted. | Get form FTB 3540, Credit Carryover and Recapture Summary. |
| • Credit for employer-paid child care plan | The Employer Childcare Contribution Credit has expired. The credit was allowed from each taxable year beginning on January 1, 1994 and before January 1, 2012. The credit carryover is allowed until exhausted. | Get form FTB 3540, Credit Carryover and Recapture Summary. |
| • Enhanced oil recovery credit | Federal law allows a credit for up to 15% of qualified costs attributable to qualified enhanced recovery oil projects. The basis of the enhanced recovery oil projects must be reduced by the amount of the credit. California conforms to this provision, except that only California projects qualify for the state credit, and the amount of the credit is limited to 1/3 of the federal credit amount. | Get form FTB 3546, Enhanced Oil Recovery Credit. |
| • Disabled access credit for eligible small businesses | Federal law allows a credit of 50% for the cost of making a business accessible to disabled individuals. No deduction is permitted for any amount for which a disabled access credit is allowed. California conforms to this provision, but the maximum credit is \$125 (50% of eligible expenses up to \$250). | Get form FTB 3548, Disabled Access Credit for Eligible Small Businesses. |
| • Abandonment or tax recoupment fees for open-space easements and timberland preserves | Federal law allows a deduction for expenses incurred in a trade or business or for the production of income. California denies a deduction for fees paid by California property owners on termination of open-space easements or timberland preserve status. | Enter the amount of fees incurred and deducted on your federal return on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 12, line 17, or line 18, column C. |
| • Former Enterprise Zone (EZ) or LAMBRA hiring credit | Under California law, employers may claim a hiring credit related to an Enterprise Zone or a LAMBRA. Deductions for the wages upon which the credit is based must be reduced by the amount of credit. A hiring credit cannot be generated for employees hired on or after January 1, 2014. | Enter the amount of wages (from form FTB 3805Z or form FTB 3807) equal to the amount of your California credit on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 12, line 17, or line 18, column C. |

| ITEM | DIFFERENCES BETWEEN FEDERAL AND CALIFORNIA LAW | WHAT TO DO FOR CALIFORNIA |
|---|--|--|
| <ul style="list-style-type: none"> Real Estate Professionals – Material participation in a rental real estate activity | <p>Beginning with the 1994 tax year and for federal purposes only, rental real estate activities conducted by persons in a real property business are not automatically treated as passive activities. California did not conform to this provision and these activities are still considered passive under California law.</p> | <p>To figure the adjustment to make on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 12 or line 17, use form FTB 3801, Passive Activity Loss Limitations, and include these activities when completing the California Passive Activity Worksheet and the California Adjustment Worksheets in the instructions for form FTB 3801.</p> |
| <ul style="list-style-type: none"> Research credit | <p>Federal law allows a credit for research expenses and requires that the deduction for research expenses be reduced by the amount of the credit allowed. California conforms to federal law, but requires the amount of research expenses to be reduced by the amount of the California credit. In addition, California law requires the use of the California tax bracket when determining the elective credit amount.</p> | <p>Enter the amount of research expenses deducted on your federal return on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 12, line 17, or line 18, column C. Enter the amount of California research expenses after reduction for California research credit on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 12, line 17, or line 18, column B.</p> |
| <ul style="list-style-type: none"> Property for which a public utility provided an energy conservation subsidy on or after January 1, 1995, and before January 1, 1997 | <p>Federal law allows an exclusion from income for any subsidy provided directly or indirectly by a public utility for the purchase or installation of any energy conservation measure with respect to a dwelling unit. The adjusted basis of the property must be reduced by the amount excluded from income. California does not conform for amounts received after December 31, 1994, and before January 1, 1997.</p> | <p>Use form FTB 3885A to figure the adjustment to enter on Schedule CA (540 or 540NR).</p> |
| <ul style="list-style-type: none"> Employer wage expenses for Work Opportunity Credit | <p>Federal law allows a Work Opportunity Credit for employers that hired individuals on or before December 31, 2014 from certain target groups and recipients of long-term family assistance. Employers that claim these credits must reduce their wage expense by the amount of the credits. California has no similar credits. If, for federal purposes, you capitalized any costs on which you figured the credit, the federal basis for amortization may be lower than the California basis.</p> | <p>Enter the amount of the federal Work Opportunity Credit that reduced the federal deduction for wages on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 12, line 17, or line 18, column B. Use form FTB 3885A, Part IV, to figure the capitalized costs amortization adjustment to enter on Schedule CA (540 or 540NR).</p> |
| <ul style="list-style-type: none"> Qualified clinical testing expenses | <p>Federal law allows an Orphan Drug Credit for qualified clinical testing expenses incurred in testing drugs for rare diseases or conditions. A business must reduce its deduction for qualified clinical testing expenses by the amount of the credit.</p> | <p>Enter the amount of the federal Orphan Drug Credit that reduced the federal deduction for qualified clinical testing expenses on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 12, line 17, or line 18, column B.</p> |
| <ul style="list-style-type: none"> Business expense | <p>California does not allow a deduction for business expenses incurred at a club that discriminates.</p> | <p>Enter on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 12, line 17, or line 18, column C, the amount taken as a federal deduction.</p> |
| <ul style="list-style-type: none"> Commercial revitalization deduction | <p>Federal law allows a deduction of one-half of any qualified revitalization expenditures chargeable to capital account with respect to any qualified revitalization building for the taxable year in which the building is placed in service or a deduction for all such expenditures ratably over the 120-month period beginning with the month in which the building is placed in service. California does not allow this deduction.</p> | <p>Enter on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 12, line 17, or line 18, column C, the amount taken as a federal deduction.</p> |
| <ul style="list-style-type: none"> Small Employer Health Insurance Credit | <p>Federal allows a credit for small employers who provide health coverage for their employees. For federal purposes, the taxpayer must reduce the insurance deduction for the amount of the credit. For California purposes, the full amount of insurance is deductible.</p> | <p>Enter on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 12, column B, the amount taken as a federal credit.</p> |
| Capital Gains or Losses | | |
| <ul style="list-style-type: none"> Capital assets | <p>The TCJA amended IRC Section 1221 excluding a patent, invention, model or design (whether or not patented), and a secret formula or process held by the taxpayer who created the property (and certain other taxpayers) from the definition of a capital asset. California does not conform.</p> | <p>Report your capital assets on Schedule D (540 or 540NR), California Capital Gain or Loss Adjustment, and to figure the adjustment to make on Schedule CA (540 or 540NR).</p> |

| ITEM | DIFFERENCES BETWEEN FEDERAL AND CALIFORNIA LAW | WHAT TO DO FOR CALIFORNIA |
|--|--|--|
| <ul style="list-style-type: none"> Deferral and exclusion of capital gains in qualified opportunity zone funds | <p>The TCJA established Opportunity Zones. IRC Sections 1400Z-1 and 1400Z-2 provide a deferral of inclusion of gross income for capital gains reinvested or invested in a qualified opportunity zone fund, and exclude capital gains from the sale or exchange of an investment of such funds. California does not conform.</p> | <p>Use California Schedule D (540 or 540NR) if you claim the federal IRC Sections 1400Z-1 and 1400Z-2 on your federal return. Enter the entire gain realized on line 1, column (e).</p> |
| <ul style="list-style-type: none"> Gain on sale or disposition of a qualified assisted housing development to low-income residents or to specified entities who maintain housing for low-income residents | <p>Federal law does not allow special treatment on gains related to the sale of certain assisted housing. California law permits the deferral of such gain, under certain conditions, if the proceeds are reinvested in residential real property (other than a personal residence) within two years of the sale.</p> | <p>Enter the transaction on California Schedule D (540 or 540NR), California Capital Gain or Loss Adjustment, line 1. In column (e) enter “-0- R&TC Section 18041.5.” Reduce the basis of replacement property by the gain deferred. Attach a schedule to your return reflecting computation of basis in the replacement property, or a statement of intent to replace within the replacement period.</p> |
| <ul style="list-style-type: none"> Gain on sale of personal residence | <p>For sale or exchanges after May 6, 1997, federal law allows an exclusion of gain on the sale of a personal residence in the amount of \$250,000 (\$500,000 if married filing jointly). The taxpayer must have owned and occupied the residence as a principal residence for at least 2 of the 5 years before the sale. California conforms to this provision. However, California taxpayers who served in the Peace Corps during the 5 year period ending on the date of the sale may reduce the 2 year period by the period of service, not to exceed 18 months.</p> | <p>If there is a difference between the amounts excluded (or depreciated, if recapture applies) for federal and California, complete California Schedule D (540 or 540NR). Transfer the amount from California Schedule D, line 12a, to Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 13, column B (if gain is less than federal). Transfer the amount from California Schedule D, line 12b, to Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 13, column C (if gain is more than federal).</p> |
| <ul style="list-style-type: none"> Undistributed capital gains for regulated investment company (RIC) shareholders | <p>Federal law requires certain undistributed capital gains reported on federal Form 2439, Notice to Shareholder of Undistributed Long-Term Capital Gains, to be included in the gross income of the mutual fund shareholder and allows a tax credit for the capital gains tax paid by the RIC. California has no similar provision.</p> | <p>Do not enter the amount of undistributed capital gains on California Schedule D (540 or 540NR).</p> |
| <ul style="list-style-type: none"> Gain or loss on sale of property inherited before January 1, 1987 | <p>Federal gain or loss may differ from the California gain or loss due to differences in the basis of property. For more information, get FTB Pub. 1039, Basis of Property-Decedent and Surviving Spouse/RDP. For property inherited on or after January 1, 1987, the California basis and the federal basis are the same.</p> | <p>Report the amount of California capital gains and losses on California Schedule D (540 or 540NR).</p> |
| <ul style="list-style-type: none"> Capital loss carrybacks | <p>Federal law allows a deduction for carrybacks of certain capital losses. California has no similar provision.</p> | <p>Report the amount of California capital gains and losses on California Schedule D (540 or 540NR).</p> |
| <ul style="list-style-type: none"> Exclusion of deferral and gain on the sale of qualified small business stock | <p>Federal law allows deferral and exclusion under IRC Section 1045 and IRC Section 1202 of the gain on sale of qualifying small business stock, that was held for more than five years. California does not conform.</p> | <p>Use California Schedule D (540 or 540NR) if you claim the federal IRC Section 1045 deferral or IRC Section 1202 exclusion on your federal return. Enter the entire gain realized on Schedule D (540 or 540NR), line 1, column (e).</p> |
| Other Gains or Losses | | |
| <ul style="list-style-type: none"> Like-kind exchanges | <p>The TCJA amended IRC Section 1031 limiting its application to real property that is not primarily held for sale. Additionally, under the TCJA, exchanges of personal property and intangible property do not qualify for nonrecognition of gain or loss as like-kind exchanges. California does not conform.</p> | <p>Complete and attach federal Form 8824, Like-Kind Exchanges, using California amounts. Get Schedule D-1 to figure the adjustment to make on Schedule CA (540 or 540NR).</p> |
| <ul style="list-style-type: none"> Basis differences of business property | <p>The California basis of assets may be different than the federal basis due to differences between California and federal law, which may affect the gain or loss on disposition.</p> | <p>Get Schedule D-1, Sales of Business Property, to figure the adjustment to make on Schedule CA (540 or 540NR).</p> |
| <ul style="list-style-type: none"> Capital gain on Cash for Clunkers rebates under the federal Car Allowance Rebate System (CARS) program | <p>Under federal law, Cash for Clunkers rebates are not taxable. For California, if the amount of the rebate is greater than the basis of the used vehicle relinquished there is a California capital gain. A taxpayer that used the rebate through their business in a like-kind exchange of vehicles should reduce the basis on the new vehicle acquired in the like-kind exchange and upon disposal of the new vehicle, recognize the rebate income at that time.</p> | <p>Get Schedule D-1 to figure the gain.</p> |

| ITEM | DIFFERENCES BETWEEN FEDERAL AND CALIFORNIA LAW | WHAT TO DO FOR CALIFORNIA |
|---|--|---|
| Rents, Royalties, Partnerships, Estates, Trusts, etc. | | |
| <ul style="list-style-type: none"> Pass-through of income and deductions from partnerships, S corporations, estates, and trusts | <p>Items of income and deduction from pass-through entities may differ due to various differences between federal and state law. Refer to federal Schedule K-1 (1065), Partner's Share of Income, Deductions, Credits, etc., or federal Schedule Q (Form 1066), Quarterly Notice to Residual Interest Holder of REMIC Taxable Income or Net Loss Allocation, in the case of REMICs, to determine items of income and deduction for federal purposes. Refer to California Schedules K-1 (100S, 541, 565, or 568) to determine items of income and deduction from pass-through entities for California purposes.</p> | <p>Follow the instructions for Schedules K-1 (100S, 541, 565, or 568). Some items are reported directly on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 17, and some items must be reported on other forms and schedules. Note: Part-year residents must allocate income between the period of residency and the period of nonresidency in a manner that reflects the actual date of realization of partnership, S corporation and certain trust income. In the absence of information that reflects the actual date of realization, the taxpayer must allocate an annual amount on a proportional basis between the two periods, using a daily pro-rata methodology. Get FTB Pub. 1100, Taxation of Nonresidents and Individuals Who Change Residency, for more information.</p> |
| <ul style="list-style-type: none"> Accumulation distribution to beneficiaries on which the required California taxes have not been paid by a trust | <p>Federal law taxes the accumulated income of a trust under IRC Sections 665-668. If a trust has a California resident trustee or beneficiary, the beneficiary is non-contingent, and the trust has not filed a California return and paid California tax as the income was accumulated, then the full amount of the accumulation distribution is taxable to the beneficiary in the year the accumulation distribution is received.</p> | <p>If you received a federal Schedule J (1041), Accumulation Distribution for Certain Complex Trusts, and did not receive a California Schedule J (541), Trust Allocation of an Accumulation Distribution, an adjustment is required because the trust did not file a California return and pay the tax as the income was accumulated. The accumulation distribution from federal Schedule J (1041) must be adjusted for California purposes. This information must be provided by the trustee.</p> |
| <ul style="list-style-type: none"> Accumulation distribution to beneficiaries on which the trust was not required to pay California tax because the beneficiaries' interest was contingent | <p>Federal law taxes the accumulated income of a trust under IRC Sections 665-668. If a trust has a California resident trustee or beneficiary, the beneficiary is contingent, and the trust has not filed a California return and paid California tax as the income was accumulated, then the beneficiary is entitled to the benefit of income averaging under the provisions of R&TC Sections 17745(b) and (d).</p> | <p>Use California form FTB 5870A, Tax on Accumulation Distribution of Trusts, to compute the part of the accumulation distribution includable in your California adjusted gross income.</p> |
| <ul style="list-style-type: none"> Amounts included in gross income of United States shareholders from foreign corporations | <p>Under federal law, IRC Section 951, if a foreign corporation is a controlled foreign corporation (CFC) at any time during any taxable year, then U.S. shareholders who own stock in a CFC on the last day of the taxable year in which it was a CFC must include in gross income their pro-rata share of income. The pro-rata shares are included in the income of U.S. shareholders even though there may be intervening entities in a chain between a CFC and such shareholders. California has no similar provision.</p> | <p>Enter the amount of income received from a CFC and included in federal income on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 17, column B.</p> |
| Unemployment Compensation | | |
| <ul style="list-style-type: none"> Unemployment compensation | <p>California does not tax unemployment compensation.</p> | <p>Enter on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 19, column B, the amount of unemployment compensation you included in adjusted gross income on your federal return.</p> |
| <ul style="list-style-type: none"> Paid Family Leave (PFL) program is part of the state disability insurance program administered by the Employment Development Department (EDD) | <p>Compensation paid from the PFL Program is not taxable by California. However, it is taxable for federal purposes.</p> | <p>Enter the amount on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 19, column B.</p> |

| ITEM | DIFFERENCES BETWEEN FEDERAL AND CALIFORNIA LAW | WHAT TO DO FOR CALIFORNIA |
|---|--|---|
| Other Income/Loss | | |
| <ul style="list-style-type: none"> • IRC Section 965 deferred foreign income | <p>Under the TCJA, if you own (directly or indirectly) certain foreign corporations, you may have to include on your return certain deferred foreign income. California does not conform.</p> | <p>Enter the amount included in federal income on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21f, column B and write "IRC 965" on line 21f and at the top of Form 540 or Form 540NR.</p> |
| <ul style="list-style-type: none"> • Global intangible low-taxed income (GILTI) under IRC Section 951A | <p>Under the TCJA, if you are a U.S. shareholder of a controlled foreign corporation, you must include your GILTI in your income. California does not conform.</p> | <p>Enter the amount included in federal income on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21f, column B and write "IRC 951A" on line 21f.</p> |
| <ul style="list-style-type: none"> • Excess business loss | <p>California does not conform to the TCJA regarding the disallowance of excess business loss.</p> | <p>If you reported an excess business loss on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21f, column A, make an adjustment on line 21f, column B.</p> |
| <ul style="list-style-type: none"> • Student loans discharged on account of death or disability | <p>California does not conform to the TCJA regarding the exclusion from gross income of certain discharges of student loans due to death or total and permanent disability of the student.</p> | <p>If the amount was excluded from federal income, make an adjustment on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21f, column C.</p> |
| <ul style="list-style-type: none"> • Qualified equity grants | <p>California does not conform to the TCJA regarding the election to defer the recognition of income attributable to qualified stock.</p> | <p>If you elected to defer income for federal purposes, make an adjustment on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21f, column C.</p> |
| <ul style="list-style-type: none"> • Expanded use of 529 account funds | <p>California does not conform to the TCJA regarding the IRC Section 529 account funding for elementary and secondary education or to the maximum distribution amount.</p> | <p>If the amount was excluded for federal purposes, make an adjustment on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21f, column C.</p> |
| <ul style="list-style-type: none"> • California Achieving a Better Life Experience (ABLE) Program | <p>California does not conform to the TCJA regarding the IRC Sections 529A and 529 to increase contribution limitation made by the designated beneficiary to ABLE accounts and to allow the rollover of 529 accounts to an ABLE account without penalty.</p> | <p>If the amount was excluded for federal purposes, make an adjustment on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21f, column C.</p> |
| <ul style="list-style-type: none"> • Olympic medals or prize money | <p>Federal law allows an exclusion from gross income the value of any medal awarded or prize money received from the U.S. Olympic Committee on account of competition in the Olympic Games or Paralympic Games. The exclusion does not apply to a taxpayer for any year in which the taxpayer's adjusted gross income exceeds \$1 million, or half of that amount in the case of a married individual filing a separate return. California does not conform.</p> | <p>Enter on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21f, column C, the value of any medal awarded or prize money that qualifies for the federal exclusion.</p> |
| <ul style="list-style-type: none"> • Financial incentive for seismic improvement | <p>California law allows an income exclusion for loan forgiveness, grant, credit, rebate, voucher, or other financial incentive issued by the California Residential Mitigation Program or California Earthquake Authority to assist a residential property owner or occupant with expenses paid, or obligation incurred for earthquake loss mitigation.</p> | <p>Enter the amount included in federal AGI on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21f, column B.</p> |
| <ul style="list-style-type: none"> • Financial incentive for turf removal | <p>California law allows an income exclusion for rebates, vouchers or other financial incentive issued by a local water agency or supplier in a turf removal water conservation program.</p> | <p>Enter the amount included in federal AGI on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21f, column B.</p> |
| <ul style="list-style-type: none"> • California lottery winnings | <p>California does not tax California lottery winnings. California taxes lottery winnings from other states.</p> | <p>Enter on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21a, column B, the amount of California lottery winnings included in adjusted gross income on your federal return.</p> |
| <ul style="list-style-type: none"> • Net Operating Loss (NOL) | | |

| ITEM | DIFFERENCES BETWEEN FEDERAL AND CALIFORNIA LAW | WHAT TO DO FOR CALIFORNIA |
|---|---|--|
| 1) Disaster loss carryover | The allowable disaster loss carryover under California law is different than the allowable disaster loss carryover under federal law. | Enter as a positive number on Schedule CA(540), Part I or Schedule CA (540NR), Part II, line 21b, column B, the amount from your 2018 form FTB 3805V, Net Operating Loss (NOL) Computation and NOL and Disaster Loss Limitations – Individuals, Estates, and Trusts. |
| 2) Federal NOL | Due to differences between federal and California law, you must refigure your NOL carryover for California purposes. | Enter as a positive number on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21c, column C, the federal NOL. Use form FTB 3805V to figure the California NOL carryover. |
| 3) California NOL deduction | The allowable NOL deduction under California law is different than the allowable NOL deduction under federal law. You may be required to elect specific NOL characterization for California which may exclude from consideration other realized losses. | Use form FTB 3805V to figure the allowable California NOL and enter the result as a positive number on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21d, column B. |
| 4) NOL from former Enterprise Zones (EZ), LAMBRAs, TTAs, the former LARZ | Federal law has no comparable deduction. | Use form FTB 3805Z, form FTB 3807, form FTB 3809, or form FTB 3806, to figure the NOL and enter the result as a positive number on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21e, column B. |
| • Reward from a crime hotline | California does not tax a reward authorized by a government agency and received from a crime hotline established by a government agency or nonprofit organization. | Enter on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21f, column B, the amount of such a reward you included in adjusted gross income on your federal return. |
| • Foreign-earned income and housing expense exclusion | Under federal law, IRC Section 911, a qualified individual may elect to exclude certain foreign-earned income and an employer-provided housing allowance. California has no similar provision. | Enter the amount of foreign-earned income and housing allowance excluded under IRC Section 911 on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21f, column C. |
| • Income received from a recycling center or location for empty beverage containers | Federal law taxes beverage container recycling income. California law does not tax income received by a consumer for recycling empty beverage containers. | Enter the amount of beverage container recycling income reported on your federal return on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21f, column B. |
| • Rebates or vouchers from a local water agency, energy agency, or energy supplier | California law allows an income exclusion for rebates or vouchers from a local water agency, energy agency, or energy supplier for the purchase and installation of water conservation appliances and devices. Federal law has no similar exclusion. | Enter the amount included in federal AGI on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21f, column B. |
| • Original issue discount (OID) for debt instruments issued (and loans made) in 1985 and 1986 | In the taxable year in which the debt instrument matures, is sold, exchanged, or otherwise disposed of, you must recognize the difference between the amount reported on your federal return and the amount reported for California purposes. | <p>Issuer (debtor) – Enter the difference between the federal deductible amount and the California deductible amount on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21f, column B.</p> <p>Holder (lender) – Enter the difference between the amount included in federal gross income and the amount included for California purposes on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21f, column C.</p> |
| • Foreign income of nonresident aliens | Federal Form 1040NR, U.S. Nonresident Alien Income Tax Return, and federal Form 1040NR-EZ, U.S. Income Tax Return for Certain Nonresident Aliens With No Dependents, requires that only United States source income be reported. California requires the reporting of adjusted gross income from all sources. | Adjust federal income to reflect worldwide income computed under California statutes. Enter losses from foreign sources on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21f, column B. Enter foreign source income on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21f, column C. |
| • Income exempted by U.S. tax treaties | California is not affected by U.S. treaties with foreign countries unless they specifically apply to state income taxes. If a treaty does not specifically exempt income from state income tax, California requires the reporting of adjusted gross income from all sources. | Adjust federal income to reflect worldwide income computed under California statutes. Enter losses from foreign sources on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21f, column B. Enter foreign source income on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21f, column C. |

| ITEM | DIFFERENCES BETWEEN FEDERAL AND CALIFORNIA LAW | WHAT TO DO FOR CALIFORNIA |
|---|--|---|
| <ul style="list-style-type: none"> Grants paid to low-income individuals | <p>California law allows an income exclusion for grants paid to low-income individuals to construct or retrofit buildings to be more energy efficient. Federal law has no similar exclusion.</p> | <p>Enter the amount included in federal AGI on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21f, column B.</p> |
| <ul style="list-style-type: none"> Death benefits received from the State of California for military members killed in the line of duty | <p>California allows an exclusion from gross income, death benefits received from the state of California National Guard, State Military Reserve, or Naval Militia who dies or is killed after March 1, 2003, while on duty.</p> | <p>Enter on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21f, column B, the amount of death benefits received and reported in federal income.</p> |
| <ul style="list-style-type: none"> Settlement payments received by persons persecuted by the regime that was in control of the Ottoman Turkish Empire from 1915 until 1923 | <p>California law provides an income exclusion for settlement payments received by an eligible individual, defined as a person persecuted by the Regime that was in control of the Ottoman Turkish Empire from 1915 until 1923, or the individual's heirs or estate.</p> | <p>Enter on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21f, column B, the settlement payments amount reported in federal income that qualifies for the California exclusion.</p> |
| <ul style="list-style-type: none"> Survivor benefits received for a public safety officer killed in the line of duty | <p>Federal law provides an exclusion from gross income, for survivor benefits attributable to service by a public safety officer who is killed in the line of duty before January 1, 1997, California does not conform.</p> | <p>Enter on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21f, column C, the amount of survivor benefits that qualifies for the federal exclusion.</p> |
| <ul style="list-style-type: none"> Federal subsidies for prescription drug plans | <p>Federal law provides an exclusion from gross income of certain federal subsidies for prescription drug plans. California does not conform.</p> | <p>Enter on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21f, column C, the amount that qualifies for the federal exclusion.</p> |
| <ul style="list-style-type: none"> Native Americans per capita payments | <p>Federal law taxes per capita distributions regardless of where the tribal member resides.</p> <p>California does not tax per capita distributions received by tribal members who live in Indian country affiliated with their tribe that are sourced from the same Indian country where they are a member.</p> <p>California does not tax per capita distributions received by a nonresident.</p> <p>California taxes per capita distributions received by California resident tribal members who reside outside their affiliated tribal Indian country. For more information, get form FTB 3504, Enrolled Tribal Member Certification.</p> | <p>Enter on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 21f, column B the per capita distributions included in federal income that are exempt for California and write "FTB 3504" on line 21f. Attach form FTB 3504 to the Form 540 or Form 540NR.</p> |
| Adjustments to Income | | |
| <ul style="list-style-type: none"> Educator expenses | <p>Federal law allows a deduction for teachers, instructors, counselors, principals, or aides for K-12 grades. California does not conform.</p> | <p>Enter the amount on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 23, column B.</p> |
| <ul style="list-style-type: none"> Certain business expenses of reservists, performing artists, and fee-basis governmental officials | <p>California law conforms to federal law in the tax treatment of expenses for reservists, performing artists, and fee-basis governmental officials. However, there could be continuing differences in the depreciation deduction such as IRC Section 179 or bonus depreciation.</p> | <p>If the federal depreciation deduction is more than the California depreciation deduction, enter the difference on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 24, column B. If the federal depreciation deduction is less than the California depreciation, enter the difference in column C.</p> |
| <ul style="list-style-type: none"> Moving expenses | <p>California does not conform to the TCJA regarding the suspension of the deduction for moving expenses, except for members of the Armed Forces on active duty. Non-military taxpayers prepare federal Form 3903, Moving Expenses, using California amounts.</p> | <p>The TCJA eliminated the \$3,000 deduction for living expenses for members of Congress while away from home. California does not conform.</p> <p>Enter the amount of living expenses on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 24, column C.</p> |
| <ul style="list-style-type: none"> Moving expenses | <p>California does not conform to the TCJA regarding the suspension of the deduction for moving expenses, except for members of the Armed Forces on active duty. Non-military taxpayers prepare federal Form 3903, Moving Expenses, using California amounts.</p> | <p>If you have excess moving expense reimbursements, enter the amount of moving expenses from line 3 of federal Form 3903 on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 26, column C. If your reimbursements are less than your moving expenses, enter the amount of moving expenses from line 5 of federal Form 3903 on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 26, column C.</p> |

| ITEM | DIFFERENCES BETWEEN FEDERAL AND CALIFORNIA LAW | WHAT TO DO FOR CALIFORNIA |
|--|--|--|
| • Alimony paid by a nonresident alien | Alimony expense paid by a nonresident alien that was not deducted on the federal return is a deduction on the California return. | Enter the amount not included on your federal return on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 31a, column C. |
| • Self-employed health insurance deduction | Federal law allows a deduction for medical coverage of your adult children. For California, adult children who provide more than one-half of their own financial support in the year are not qualified for the deduction. | Enter the adult child's portion of the medical insurance cost on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 29, column B. |
| • Student loan interest deduction | California conforms to federal law regarding student loan interest deduction except for non California domiciled military taxpayers and a spouse/RDP of a non California domiciled military taxpayer residing in a community property state. | Enter the amount on Schedule CA (540), Part I or Schedule CA (540NR), Part II, line 33, column C. |
| Itemized Deductions | | |
| • Taxes | | |
| 1) State and local income taxes or general sales taxes | Federal law allows a deduction for state and local income taxes or state and local general sales taxes. California specifically disallows the deduction for state and local income tax (including limited partnership tax and income or franchise tax paid by corporations) and State Disability Insurance (SDI) or state and local general sales tax. | Enter the amount deducted for federal on Schedule CA (540), Part II or Schedule CA (540NR), Part III, line 5a, column B. |
| 2) Limitation on state and local taxes | The TCJA limited the deduction for state and local taxes to \$10,000 (\$5,000 if married filing separately) for the aggregate of state and local income taxes and property taxes. California does not conform. | If your deduction was limited under federal law, enter an adjustment on Schedule CA (540), Part II or Schedule CA (540NR), Part III, line 5e, column C for the amount over the federal limit. |
| 3) Other taxes | Federal allows a deduction for income taxes paid to a foreign country and generation skipping tax (GST) imposed on certain income distributions. California does not conform. | Enter the amount deducted for federal on Schedule CA (540), Part II or Schedule CA (540NR), Part III, line 6, column B. |
| • Interest | | |
| 1) Home mortgage interest | The TCJA limited the mortgage interest deduction acquisition debt maximum from \$1,000,000 (\$500,000 for married filing separately) to \$750,000 (\$375,000 for married filing separately). California does not conform. | If your deduction was limited under federal law, enter an adjustment on Schedule CA (540), Part II or Schedule CA (540NR), Part III, line 8, column C for the amount over the federal limit. |
| | Federal law suspended the deduction on up to \$100,000 (\$50,000 for married filing separately) for interest on home equity indebtedness, unless the loan is used to buy, build, or substantially improve the taxpayer's home that secures the loan. California does not conform. | If your deduction was limited under the federal law, enter an adjustment on Schedule CA (540), Part II or Schedule CA (540NR), Part III, line 8, column C for the amount over the federal limit. |
| 2) Mortgage interest credit | If you reduced your federal mortgage interest deduction by the amount of your interest credit (from federal Form 8396, Mortgage Interest Credit), increase your California itemized deductions by the same amount. | Enter the amount of your federal mortgage interest credit on Schedule CA (540), Part II or Schedule CA (540NR), Part III, line 8, column C. |
| 3) Investment interest | Your California deduction for investment interest expense may be different from your federal deduction. | Use form FTB 3526, Investment Interest Expense Deduction, to figure the amount to enter on Schedule CA (540), Part II or Schedule CA (540NR), Part III, line 9, column B or column C. |
| • Gifts | | |
| 1) Qualified charitable contributions | Your California deduction may be different from your federal deduction. California limits the amount of your deduction to 50% of your federal adjusted gross income. Figure the difference between the amount allowed using federal law and the amount allowed using California law. | Enter the difference on Schedule CA (540), Part II or Schedule CA (540NR), Part III, line 11 or line 12, column B. |
| 2) College athletic seating rights | Federal law no longer allows a charitable deduction for amounts paid to an institution of higher education in exchange for college athletic seating rights. California does not conform. | Enter the amount on Schedule CA (540), Part II or Schedule CA (540NR), Part III, line 11, column C. |

| ITEM | DIFFERENCES BETWEEN FEDERAL AND CALIFORNIA LAW | WHAT TO DO FOR CALIFORNIA |
|--|---|--|
| 3) College Access Tax Credit | You may need to make an adjustment for California purposes. | If you deducted a charitable contribution amount for the College Access Tax Credit Fund on your federal Schedule A (Form 1040) and are claiming the College Access Tax Credit on your Form 540 or Form 540NR, enter the amount used to calculate the College Access Tax Credit on Schedule CA (540), Part II or Schedule CA (540NR), Part III, line 11, column B. |
| 4) Charitable contribution carryover deduction | Your California charitable contribution carryover may be different from your federal carryover. | If deducting a prior year charitable contribution carryover, and the California carryover is larger than the federal carryover, enter the additional amount on Schedule CA (540), Part II or Schedule CA (540NR), Part III, line 13, column C. |
| 5) Carryover deduction of appreciated stock contributed to a private foundation prior to January 1, 2002 | There may be a difference in the valuation of your California charitable contribution of appreciated stock than allowed for federal. | If deducting a charitable contribution carryover of appreciated stock donated to a private operating foundation prior to January 1, 2002, and the fair market value allowed for federal purposes is larger than the basis allowed for California purposes, enter the difference on Schedule CA (540), Part II or Schedule CA (540NR), Part III, line 13, column B. |
| • Casualty and theft losses | <p>The TCJA suspended the personal casualty and theft loss deduction, with exception for personal casualty gains. Federal allows a deduction for personal casualty and theft loss incurred in a federally declared disaster. California does not conform.</p> <p>California allows personal casualty and theft loss and disaster loss deductions. If you have personal casualty and theft loss and/or disaster loss, complete another federal Form 4684 using California amounts.</p> | Enter the difference between the federal and California amount on Schedule CA (540), Part II or Schedule CA (540NR), Part III, line 15, column B or column C. |
| • Other itemized deductions | <p>If you completed federal Form 2106, prepare a second set of forms reflecting your employee business expense using California amounts (i.e., following California law). Include your entertainment expenses, if any, on line 5 of federal Form 2106 for California purposes.</p> <p>Generally, California law conforms with federal law and no adjustment is needed. However, differences occur when:</p> <ul style="list-style-type: none"> • Assets (requiring depreciation) were placed in service before January 1, 1987. Figure the depreciation based on California law. • Federal employees who were on temporary duty status. California does not conform to the federal provision that expanded temporary duties to include prosecution duties, in addition to investigative duties. Therefore, travel expenses paid or incurred in connection with temporary duty status (exceeding one year), involving the prosecution (or support of the prosecution) of a federal crime, should not be included in the California amount. | Compare federal Form 2106, line 10 and the form completed using California amounts. Enter the difference between the federal and California amount on Schedule CA (540), Part II or Schedule CA (540NR), Part III, line 16, column B or column C. |
| 2) Gambling losses | California lottery losses are not deductible for California. | Enter the amount of California lottery losses included on Schedule CA (540), Part II or Schedule CA (540NR), Part III, line 16, column A on line 16, column B. |
| 3) Federal estate tax | Federal estate tax paid on income in respect of a decedent is not deductible for California. | Enter the amount of federal estate tax included on Schedule CA (540), Part II or Schedule CA (540NR), Part III, line 16, column A on line 16, column B. |

| ITEM | DIFFERENCES BETWEEN FEDERAL AND CALIFORNIA LAW | WHAT TO DO FOR CALIFORNIA |
|---|--|---|
| 4) Claim of right | <p>If you had to repay an amount that you included in your income in an earlier year, because at the time you thought you had an unrestricted right to it, you may be able to deduct the amount repaid from your income for the year in which you repaid it. Or, if the amount you repaid is more than \$3,000, you may take a credit against your tax for the year in which you repaid it, whichever results in the least tax.</p> <p>If the amount repaid was not taxed by California, then no deduction or credit is allowed.</p> | <p>If you claimed a credit for the repayment on your federal tax return and are deducting the repayment for California, enter the allowable deduction on Schedule CA (540), Part II or Schedule CA (540NR), Part III, line 16, column C.</p> <p>If you deducted the repayment on your federal tax return and are taking a credit for California, enter the amount of the federal deduction on Schedule CA (540), Part II or Schedule CA (540NR), Part III, line 16, column B. To help you determine whether to take a credit or deduction, see the Repayment section of federal Publication 525, Taxable and Nontaxable Income. Remember to use the California tax rate in your computations. If you choose to take the credit instead of the deduction for California, add the credit amount on line 76, the total payment line, of the Form 540 or on line 86, of the Form 540NR. To the left of the total, write "IRC 1341" and the amount of the credit.</p> |
| <ul style="list-style-type: none"> Job expenses and certain miscellaneous deductions | <p>Under federal law, the deduction for miscellaneous itemized deductions subject to the 2% floor is suspended. California does not conform.</p> | <p>Prepare federal Form 2106 reflecting your employee business expense using California amounts (i.e. following California law). Include your entertainment expenses, if any, on line 5 of federal Form 2106 for California purposes. Enter the amount from line 10 of federal Form 2106 on Schedule CA (540), Part II or Schedule CA (540NR), Part III, line 19.</p> |
| <ul style="list-style-type: none"> 1) Unreimbursed employee expenses | <p>Under federal law, the deduction for miscellaneous itemized deductions subject to the 2% floor is suspended. California does not conform.</p> | <p>Prepare federal Form 2106 reflecting your employee business expense using California amounts (i.e. following California law). Include your entertainment expenses, if any, on line 5 of federal Form 2106 for California purposes. Enter the amount from line 10 of federal Form 2106 on Schedule CA (540), Part II or Schedule CA (540NR), Part III, line 19.</p> |
| 2) Tax preparation fees | <p>Under federal law, the deduction for miscellaneous itemized deductions subject to the 2% floor is suspended. California does not conform.</p> | <p>Enter the fees you paid for preparation of your tax return, including fees paid for filing your return electronically on Schedule CA (540), Part II or Schedule CA (540NR), Part III, line 20. If you paid your tax by credit or debit card, include the convenience fee you were charged on Schedule CA (540), Part II or Schedule CA (540NR), Part III, line 21 instead of this line.</p> |
| 3) Other expenses | <p>Under federal law, the deduction for miscellaneous itemized deductions subject to the 2% floor is suspended. California does not conform.</p> | <p>Enter the total amount you paid to produce or collect taxable income and manage or protect property held for earning income on Schedule CA (540), Part II or Schedule CA (540NR), Part III, line 21. List the type of each expense next to line 21 and enter the total of these expenses on Schedule CA (540), Part II or Schedule CA (540NR), Part III, line 21. If additional space is needed, attach a statement showing the type and amount of each expense.</p> <p>Examples of expenses to include on Schedule CA (540), Part II or Schedule CA (540NR), Part III, line 21 are:</p> <ul style="list-style-type: none"> Certain legal and accounting fees. Custodial fees (for example, trust account). Casualty and theft losses of property used in performing services as an employee from federal Form 4684, lines 32 and 38b, or federal Form 4797, line 18a. Deduction for repayment of amounts under a claim of right if \$3,000 or less. |
| <ul style="list-style-type: none"> Other adjustments | <p>Adjustments to itemized deductions include: adoption related expenses, nontaxable income expense, state legislator's travel expenses, and interest on loans from utility companies.</p> | <p>See Schedule CA (540), Part II or Schedule CA (540NR), Part III, line 27, for more information.</p> |