
By: **Delegates Frank, Aumann, Bartlett, Boteler, Boutin, Cluster, Costa,
Cryor, DeBoy, Edwards, Elliott, Elmore, Haddaway, Hogan, Impallaria,
Jennings, McComas, McConkey, McDonough, McKee, O'Donnell,
Stocksdale, Stull, and Weldon**

Introduced and read first time: February 7, 2005

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Income Tax Checkoff - General Fund Contribution**

3 FOR the purpose of providing certain persons an opportunity for voluntary payments
4 of additional State income tax through contributions to the State General Fund;
5 requiring the Comptroller to include on certain income tax return forms a
6 checkoff option allowing for a contribution to the State General Fund; allowing
7 certain persons to deduct a contribution from a certain refund or add the
8 contribution to certain income tax to be paid; requiring the Comptroller to
9 collect certain contributions and distribute them in a certain manner; providing
10 for the application of this Act; and generally relating to an income tax checkoff
11 for a contribution to the State General Fund.

12 BY adding to
13 Article - Tax - General
14 Section 2-113 and 10-804(i)
15 Annotated Code of Maryland
16 (2004 Replacement Volume)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article - Tax - General**

20 2-113.

21 (A) (1) THE COMPTROLLER SHALL INCLUDE ON THE INDIVIDUAL AND
22 CORPORATION INCOME TAX RETURN FORMS A CHECKOFF DESIGNATED AS THE
23 "STATE GENERAL FUND CONTRIBUTION".

24 (2) THE CHECKOFF SHALL STATE THAT:

1 (I) THE TAXPAYER, OR EACH SPOUSE IN THE CASE OF A JOINT
2 RETURN, MAY CONTRIBUTE TO THE STATE GENERAL FUND THE AMOUNT
3 DESIGNATED BY THE TAXPAYER; AND

4 (II) 1. THE TAXPAYER SHALL DEDUCT THE AMOUNT OF THE
5 CONTRIBUTION FROM ANY REFUND TO WHICH THE TAXPAYER IS ENTITLED; OR

6 2. IF THE TAXPAYER IS NOT ENTITLED TO A REFUND, THE
7 TAXPAYER SHALL ADD THE AMOUNT OF THE CONTRIBUTION TO THE INCOME TAX TO
8 BE PAID WITH THE RETURN.

9 (B) THE COMPTROLLER SHALL:

10 (1) COLLECT THE CHECKOFF CONTRIBUTIONS AND ACCOUNT TO THE
11 STATE TREASURER FOR THE MONEY COLLECTED;

12 (2) FROM THE CONTRIBUTIONS COLLECTED, DISTRIBUTE THE AMOUNT
13 NECESSARY TO ADMINISTER THE CHECKOFF SYSTEM TO AN ADMINISTRATIVE COST
14 ACCOUNT; AND

15 (3) DISTRIBUTE THE REMAINING MONEY COLLECTED UNDER THIS
16 SUBSECTION TO THE GENERAL FUND OF THE STATE.

17 10-804.

18 (I) A PERSON MAY DESIGNATE A CONTRIBUTION TO THE STATE GENERAL
19 FUND BY THE CHECKOFF SYSTEM ON THE RETURN.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
21 effect July 1, 2005, and shall be applicable to all taxable years beginning after
22 December 31, 2004.