HOUSE BILL 1056

Q3 HB 1422/17 – W&M

By: Delegates Wilson, Folden, Luedtke, and Patterson Patterson, Afzali, D. Barnes, Buckel, Ebersole, Hornberger, C. Howard, Kaiser, Long, Mosby, Tarlau, Turner, Walker, and Wilkins

Introduced and read first time: February 7, 2018

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 20, 2018

CHAPTER

1 AN ACT concerning

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Income Tax Checkoff - Maryland Veterans Trust Fund

3 FOR the purpose of establishing a certain income tax checkoff for voluntary contributions 4 to the Maryland Veterans Trust Fund; requiring the Comptroller to include a 5 checkoff on the individual income tax return; providing that the income tax checkoff 6 include a certain statement; requiring the Comptroller to include certain information in each individual income tax return package; requiring the Comptroller to collect 7 8 and account for contributions made through the checkoff and to credit the proceeds 9 to the Fund after deducting the amount necessary to administer the checkoff; 10 providing that the Fund may consist of certain contributions from the income tax checkoff and certain other money; providing for the application of this Act; and 11 generally relating to an income tax checkoff for contributions to the Maryland 12 Veterans Trust Fund. 13

14 BY adding to

15 Article – Tax – General

16 Section 2–115 and 10–804(l)

17 Annotated Code of Maryland

18 (2016 Replacement Volume and 2017 Supplement)

- 19 BY repealing and reenacting, without amendments,
- 20 Article State Government
- 21 Section 9–913(e), (f), (h), and (i)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.

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1 2	Annotated Code of Maryland (2014 Replacement Volume and 2017 Supplement)		
4	(2014 Replacement Volume and 2017 Supplement)		
3 4 5	BY repealing and reenacting, with amendments, Article – State Government Section 9–913(g)		
6	Annotated Code of Maryland		
7	(2014 Replacement Volume and 2017 Supplement)		
8 9	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:		
10	Article – Tax – General		
11	2–115.		
11	2–119.		
12	(A) (1) THE COMPTROLLER SHALL INCLUDE ON THE INDIVIDUAL		
13	INCOME TAX RETURN FORM A CHECKOFF DESIGNATED AS THE "MARYLAND		
14	VETERANS TRUST FUND CONTRIBUTION".		
15	(2) THE CHECKOFF SHALL STATE THAT:		
16	(I) THE INDIVIDUAL, OR EACH SPOUSE IN THE CASE OF A JOINT		
17	RETURN, MAY CONTRIBUTE TO THE MARYLAND VETERANS TRUST FUND THE		
18	AMOUNT DESIGNATED BY THE INDIVIDUAL; AND		
10	(77) 1		
19	(II) 1. THE INDIVIDUAL SHALL DEDUCT THE AMOUNT OF THE		
20	CONTRIBUTION FROM ANY REFUND TO WHICH THE INDIVIDUAL IS ENTITLED; OR		
21	2. IF THE INDIVIDUAL IS NOT ENTITLED TO A REFUND,		
22	THE INDIVIDUAL SHALL ADD THE AMOUNT OF THE CONTRIBUTION TO THE INCOME		
23	TAX TO BE PAID WITH THE RETURN.		
0.4	(9) The Company of the many many many many many many many many		
2425	(3) THE COMPTROLLER SHALL INCLUDE, WITH THE INDIVIDUAL INCOME TAX RETURN PACKAGE, A DESCRIPTION OF THE PURPOSES FOR WHICH THE		
$\frac{25}{26}$	MARYLAND VETERANS TRUST FUND WAS ESTABLISHED AND THE PURPOSES FOR		
$\frac{20}{27}$	RRYLAND VETERANS TRUST FUND WAS ESTABLISHED AND THE PURPOSES FOR IICH THE FUND MAY BE USED.		
	THE TANK AND THE BEAUTY		
28	(B) THE COMPTROLLER SHALL:		

(1) COLLECT THE CHECKOFF CONTRIBUTIONS AND ACCOUNT TO THE

STATE TREASURER FOR THE MONEY COLLECTED;

1 FROM THE CONTRIBUTIONS COLLECTED, DISTRIBUTE THE **(2)** 2 AMOUNT NECESSARY TO ADMINISTER THE CHECKOFF TO AN ADMINISTRATIVE COST 3 ACCOUNT; AND 4 **(3)** AFTER THE DISTRIBUTION UNDER ITEM (2) OF THIS SUBSECTION. 5 DISTRIBUTE THE REMAINDER OF THE MONEY COLLECTED UNDER THIS SUBSECTION 6 TO THE MARYLAND VETERANS TRUST FUND ESTABLISHED UNDER § 9–913 OF THE STATE GOVERNMENT ARTICLE. 7 8 10-804. 9 AN INDIVIDUAL MAY DESIGNATE A CONTRIBUTION TO THE MARYLAND (L) VETERANS TRUST FUND ESTABLISHED UNDER § 9-913 OF THE STATE 10 GOVERNMENT ARTICLE BY THE CHECKOFF ON THE RETURN. 11 12 Article - State Government 9-913. 13 14 There is a Maryland Veterans Trust established for the purpose of 15 providing monetary and other assistance to: 16 (i) veterans and their families; and 17 (ii) public and private programs that support veterans and their families. 18 19 (2) There is a Maryland Veterans Trust Fund. 20 The Trust shall be a body corporate and shall have perpetual existence, 21subject to modification or termination by the General Assembly if necessary to effectuate its purpose or if its substantial purpose ceases to exist. 22 23The Fund consists of: (g) 24 gifts and grants that the Trust receives under § 9-914.2(a)(1) of this (1) subtitle; [and] 2526 contributions to the Fund from: (2) 27 the sale of tickets from instant ticket lottery machines under § 289–112(d) of this title; and 29 the donations from video lottery facility players under § (ii)

9–1A–04(d)(19) of this article; AND

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$\frac{1}{2}$	TAX CHECK	(3) THE NET PROCEEDS FROM CONTRIBUTIONS UNDER THE INCOME COFF ESTABLISHED UNDER § $2-115$ OF THE TAX – GENERAL ARTICLE.	
3	(h)	Money in the Fund may only be used to:	
4		(1) make grants and loans under § 9–914.2(a)(3) of this subtitle;	
5		(2) be invested under § 9–914.3(b) of this subtitle; and	
6 7	administrat	(3) pay the costs of administering the Fund through distribution to an ive cost account in the Department.	
8 9	· · · · · · · · · · · · · · · · · · ·		
SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall ta 11 1, 2018, and shall be applicable to all taxable years beginning after December		TION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July shall be applicable to all taxable years beginning after December 31, 2017.	
	Approved:		
		Governor.	
		Speaker of the House of Delegates.	
		President of the Senate.	