HOUSE BILL 1056

 $\mathbf{Q}3$ 8lr3041

HB 1422/17 - W&M

By: Delegates Wilson, Folden, Luedtke, and Patterson

Introduced and read first time: February 7, 2018

Assigned to: Ways and Means

A BILL ENTITLED

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 7 in each individual income tax return package; requiring the Comptroller to collect 8 and account for contributions made through the checkoff and to credit the proceeds to the Fund after deducting the amount necessary to administer the checkoff; 9 providing that the Fund may consist of certain contributions from the income tax 10 11 checkoff and certain other money; providing for the application of this Act; and 12 generally relating to an income tax checkoff for contributions to the Maryland Veterans Trust Fund.

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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,

Article - State Government

21 Section 9–913(e), (f), (h), and (i)

22 Annotated Code of Maryland

23 (2014 Replacement Volume and 2017 Supplement)

24BY repealing and reenacting, with amendments,

25 Article – State Government

26 Section 9-913(g)

27 Annotated Code of Maryland

28 (2014 Replacement Volume and 2017 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 2 That the Laws of Maryland read as follows:
- 3 Article Tax General
- 4 **2–115**.
- 5 (A) (1) THE COMPTROLLER SHALL INCLUDE ON THE INDIVIDUAL
- 6 INCOME TAX RETURN FORM A CHECKOFF DESIGNATED AS THE "MARYLAND
- 7 VETERANS TRUST FUND CONTRIBUTION".
- 8 (2) THE CHECKOFF SHALL STATE THAT:
- 9 (I) THE INDIVIDUAL, OR EACH SPOUSE IN THE CASE OF A JOINT
- 10 RETURN, MAY CONTRIBUTE TO THE MARYLAND VETERANS TRUST FUND THE
- 11 AMOUNT DESIGNATED BY THE INDIVIDUAL; AND
- 12 (II) 1. THE INDIVIDUAL SHALL DEDUCT THE AMOUNT OF THE
- 13 CONTRIBUTION FROM ANY REFUND TO WHICH THE INDIVIDUAL IS ENTITLED; OR
- 2. IF THE INDIVIDUAL IS NOT ENTITLED TO A REFUND,
- 15 THE INDIVIDUAL SHALL ADD THE AMOUNT OF THE CONTRIBUTION TO THE INCOME
- 16 TAX TO BE PAID WITH THE RETURN.
- 17 (3) THE COMPTROLLER SHALL INCLUDE, WITH THE INDIVIDUAL
- 18 INCOME TAX RETURN PACKAGE, A DESCRIPTION OF THE PURPOSES FOR WHICH THE
- 19 MARYLAND VETERANS TRUST FUND WAS ESTABLISHED AND THE PURPOSES FOR
- 20 WHICH THE FUND MAY BE USED.
- 21 (B) THE COMPTROLLER SHALL:
- 22 (1) COLLECT THE CHECKOFF CONTRIBUTIONS AND ACCOUNT TO THE
- 23 STATE TREASURER FOR THE MONEY COLLECTED;
- 24 (2) FROM THE CONTRIBUTIONS COLLECTED, DISTRIBUTE THE
- 25 AMOUNT NECESSARY TO ADMINISTER THE CHECKOFF TO AN ADMINISTRATIVE COST
- 26 ACCOUNT; AND
- 27 (3) AFTER THE DISTRIBUTION UNDER ITEM (2) OF THIS SUBSECTION,
- 28 DISTRIBUTE THE REMAINDER OF THE MONEY COLLECTED UNDER THIS SUBSECTION
- 29 TO THE MARYLAND VETERANS TRUST FUND ESTABLISHED UNDER § 9–913 OF THE
- 30 STATE GOVERNMENT ARTICLE.
- 31 10-804.

1 2 3	2 VETERANS TRUST	VIDUAL MAY DESIGNATE A CONTRIBUTION TO THE MARYLAND FUND ESTABLISHED UNDER § 9–913 OF THE STATE CLE BY THE CHECKOFF ON THE RETURN.	
4	4	Article - State Government	
5	5 9–913.		
6 7	` ' ' ' '	(e) (1) There is a Maryland Veterans Trust established for the purpose of providing monetary and other assistance to:	
8	8 (i)	veterans and their families; and	
9	` ') public and private programs that support veterans and their	
1	1 (2) Th	nere is a Maryland Veterans Trust Fund.	
$egin{array}{c} 12 \\ 13 \\ 14 \end{array}$	(f) The Trust shall be a body corporate and shall have perpetual existence, subject to modification or termination by the General Assembly if necessary to effectuate its purpose or if its substantial purpose ceases to exist.		
15	5 (g) The Fund	d consists of:	
16 17			
18	8 (2) con	ntributions to the Fund from:	
19 20	· · · · · · · · · · · · · · · · · · ·		
21 22	, ,	0 0 1 0	
23 24	` '	HE NET PROCEEDS FROM CONTRIBUTIONS UNDER THE INCOME ABLISHED UNDER § 2–115 OF THE TAX – GENERAL ARTICLE.	
25	(h) Money in	n the Fund may only be used to:	
26	3 (1) ma	ake grants and loans under § 9–914.2(a)(3) of this subtitle;	
27	7 (2) be	invested under § 9–914.3(b) of this subtitle; and	

pay the costs of administering the Fund through distribution to an

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(3)

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- 1 administrative cost account in the Department.
- 2 (i) Money expended from the Fund is not intended to take the place of funding 3 that would otherwise be appropriated to the Department.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2018, and shall be applicable to all taxable years beginning after December 31, 2017.