HOUSE BILL 684

Q3 9lr1834

HB 1056/18 – W&M

By: Delegates Wilson and Patterson

Introduced and read first time: February 7, 2019

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2

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 9 to the Fund after deducting the amount necessary to administer the checkoff; 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. 13

14 BY adding to

20

15 Article – Tax – General

16 Section 2–115 and 10–804(l)

17 Annotated Code of Maryland

18 (2016 Replacement Volume and 2018 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 2018 Supplement)

24 BY repealing and reenacting, with amendments,

25 Article – State Government

26 Section 9–913(g)

27 Annotated Code of Maryland

28 (2014 Replacement Volume and 2018 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	(L) AN INDIVIDUAL MAY DESIGNATE A CONTRIBUTION TO THE MARYLAND VETERANS TRUST FUND ESTABLISHED UNDER § 9–913 OF THE STATE GOVERNMENT ARTICLE BY THE CHECKOFF ON THE RETURN.
4	Article - State Government
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	(i) veterans and their families; and
9	(ii) public and private programs that support veterans and their families.
1	(2) There 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.
5	(g) The Fund consists of:
16 17	(1) gifts and grants that the Trust receives under $\S 9-914.2(a)(1)$ of this subtitle; [and]
8	(2) contributions to the Fund from:
19 20	(i) the sale of tickets from instant ticket lottery machines under \S 9–112(d) of this title; and
21 22	(ii) the donations from video lottery facility players under $\$ 9–1A–04(d)(19) of this article; AND
23 24	(3) THE NET PROCEEDS FROM CONTRIBUTIONS UNDER THE INCOME TAX CHECKOFF ESTABLISHED UNDER § $2-115$ OF THE TAX – GENERAL ARTICLE.
25	(h) Money in the Fund may only be used to:
26	(1) make grants and loans under § 9–914.2(a)(3) of this subtitle;
27	(2) be invested under § 9–914.3(b) of this subtitle; and

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- 1 (3) pay the costs of administering the Fund through distribution to an 2 administrative cost account in the Department.
- 3 (i) Money expended from the Fund is not intended to take the place of funding 4 that would otherwise be appropriated to the Department.
- 5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 6 1, 2019, and shall be applicable to all taxable years beginning after December 31, 2018.