

**HOUSE . . . . . No. 2448**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Jennifer E. Benson*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to a State Public Health HIV and Hepatitis Fund.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>Ann-Margaret Ferrante</i>	<i>5th Essex</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Denise C. Garlick</i>	<i>13th Norfolk</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>

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By Ms. Benson of Lunenburg, a petition (accompanied by bill, House, No. 2448) of Jennifer E. Benson and others relative to providing for a voluntary contribution on the state income tax form for donations to the State Public Health HIV and Hepatitis Fund. Revenue.

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The Commonwealth of Massachusetts

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**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
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An Act relative to a State Public Health HIV and Hepatitis Fund.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Section 6G of Chapter 62 of the General Laws, as appearing in the 2012 Official Edition,  
2 is hereby amended by striking section 6G and inserting in place thereof the following  
3 paragraphs:-

4 Section 6G. Every individual who files a separate return and every married couple filing  
5 a return jointly may voluntarily contribute all or part of any refund to which they are entitled, or  
6 may voluntarily add an amount onto any amount due, to be credited to the Massachusetts State  
7 Public Health HIV and Hepatitis Fund established pursuant to section 35R of chapter ten.

8 A contribution made under this section may be with respect to any taxable year at the  
9 time of filing a return of the tax established by this chapter for such taxable year; provided,  
10 however, that the commissioner shall prescribe the manner in which such contribution shall be  
11 made on the face of the return required by section five of chapter sixty-two C; and provided,

12 further, that the commissioner shall assure that taxpayers filing any such forms are made clearly  
13 aware of their ability to make the contributions provided for by this section.

14 The commission shall annually report the total amount designated under this section to  
15 the state treasurer, who shall credit such amount to said Massachusetts State Public Health HIV  
16 and Hepatitis Fund.

17 Contributions credited to this Fund may be used for clinical and public health research,  
18 program evaluation, and prevention, testing, and treatment services with the goal of reducing  
19 illness and death related to infection with HIV or viral hepatitis.

20 Section 35R of Chapter 10 of the General Laws, as appearing in the 2012 Official  
21 Edition, is hereby amended by striking section 35R and inserting in place thereof the following  
22 paragraphs:-

23 There shall be established and set up on the books of the commonwealth a separate fund,  
24 to be administered by the commissioner of public health as provided in sections 2D to 2F,  
25 inclusive, of chapter 111, to be known as the Massachusetts State Public Health HIV and  
26 Hepatitis Fund. Said fund shall consist of all revenues received by the commonwealth under the  
27 provisions of section 6G of chapter 62, from public and private sources as appropriations, gifts,  
28 grants, and donations, and from the federal government as reimbursements, grants-in-aid or other  
29 receipts, to further the purposes of said fund as set out in section 2E of said chapter 111. All  
30 revenues credited to said fund under this section shall remain in said fund, not subject to  
31 appropriation, for application to said purposes. The state treasurer shall not deposit said revenues  
32 in, or transfer said revenues to, the General Fund or any other fund other than the Massachusetts  
33 State Public Health HIV and Hepatitis Fund. The state treasurer shall deposit monies in said fund

34 in accordance with the provisions of section 34 and 34A of chapter 29 in such manner as will  
35 secure the highest interest rate available consistent with safety of the fund and with the  
36 requirement that all amounts on deposit be available for immediate withdrawal at any time. Said  
37 fund shall be expended only for the purpose stated in section 2E of chapter 111 at the direction of  
38 the commissioner of public health, and any unexpected balances shall be redeposited, as herein  
39 provided, for further use consistent with this section. The provisions of the section shall apply to  
40 all funds received by the commonwealth after July 1, 1995 under the provisions of section 6G of  
41 chapter 62.