

HOUSE No. 2917

The Commonwealth of Massachusetts

PRESENTED BY:

Carlos González

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 creating the Massachusetts Against Discrimination Fund.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Carlos González</i>	<i>10th Hampden</i>	<i>2/16/2021</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>2/26/2021</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>	<i>2/26/2021</i>

HOUSE No. 2917

By Mr. González of Springfield, a petition (accompanied by bill, House, No. 2917) of Carlos González, Vanna Howard and Marcos A. Devers for legislation to establish voluntary contribution check-off boxes on state tax returns to provide financial assistance to the Massachusetts Commission Against Discrimination. Revenue.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to creating the Massachusetts Against Discrimination 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 M.G.L. c. 10, Section 35MMM: Massachusetts Against Discrimination Fund

2 There shall be established and set up on the books of the commonwealth a separate fund,
3 to be known as the Massachusetts Against Discrimination Fund. The fund shall be used by the
4 commission against discrimination to offset costs associated with its investigation, prosecution
5 and adjudication of claims of unlawful discrimination, and to assist with its training of public and
6 private entities and individuals to prevent and remediate unlawful discrimination consistent with
7 sections one through ten of chapter 151B. The commission may use the fund for necessary and
8 reasonable administrative and personnel costs related to the specific purposes of the fund.

9 The fund shall consist of all revenues received by the commonwealth pursuant to the
10 voluntary check-off donation indicated on the department of revenue's annual income tax return
11 authorized by section 6L of chapter 62 and from public and private sources as gifts, grants and

12 donations authorized by section 3(14) of chapter 151B to further eradicate unlawful
13 discrimination in the commonwealth. Funds deposited and expended from the fund shall not be
14 assessed any indirect costs.

15 The state treasurer shall deposit amounts in the fund in accordance with section 34 of
16 chapter 29 in a manner that will secure the highest interest rate available consistent with the
17 safety of the fund and with the requirement that all amounts on deposit shall be available for
18 immediate withdrawal at any time. The fund may be expended by the commission against
19 discrimination without further appropriation for the purposes stated in this section and any funds
20 remaining at the end of any fiscal year shall not revert to the General Fund and shall be available
21 for use in subsequent fiscal years.

22 M.G.L. c. 62, Section 6O: Contribution of refund to Massachusetts Against
23 Discrimination Fund

24 A person filing an individual or a joint return may voluntarily contribute all or part of any
25 refund to which they are entitled, or may voluntarily add an amount on to any amount due, to be
26 credited to the Massachusetts Against Discrimination Fund established in section 35MMM of
27 chapter 10.

28 A contribution under this section may be made with respect to any taxable year at the
29 time of filing a return of the tax established by this chapter for such taxable year. The
30 commissioner shall prescribe the manner in which the contribution shall be made on the face of
31 the return required by section 5 of chapter 62C; provided, however, that the commissioner shall
32 assure that taxpayers filing any such forms are made clearly aware of their ability to make the
33 contributions provided for by this section.

34 The commissioner shall annually report the total amount designated under this section to
35 the state treasurer, who shall credit such amount to the Massachusetts Against Discrimination
36 Fund.