

HOUSE BILL 316

Q3
HB 358/21 – W&M

3lr1562
CF 3lr1563

By: **Delegates Bagnall, Allen, Chisholm, Guyton, Hill, Howard, A. Johnson, S. Johnson, D. Jones, McCaskill, M. Morgan, T. Morgan, Patterson, Pruski, Rogers, Ruth, Simmons, Taveras, Wilson, and Woods**

Introduced and read first time: January 25, 2023

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 individual income tax return forms for voluntary contributions to the
6 Fund and to include certain information in each individual income tax return
7 package; and generally relating to an income tax checkoff for contributions to the
8 Maryland Veterans Trust Fund.

9 BY adding to
10 Article – Tax – General
11 Section 2–117 and 10–804(l)
12 Annotated Code of Maryland
13 (2022 Replacement Volume)

14 BY repealing and reenacting, with amendments,
15 Article – State Government
16 Section 9–913
17 Annotated Code of Maryland
18 (2021 Replacement Volume and 2022 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
20 That the Laws of Maryland read as follows:

21 **Article – Tax – General**

22 **2–117.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(A) (1) THE COMPTROLLER SHALL INCLUDE ON THE INDIVIDUAL**
2 **INCOME TAX RETURN FORM A CHECKOFF DESIGNATED AS THE “MARYLAND**
3 **VETERANS TRUST FUND CONTRIBUTION”.**

4 **(2) THE CHECKOFF SHALL STATE THAT:**

5 **(I) THE INDIVIDUAL, OR EACH SPOUSE IN THE CASE OF A JOINT**
6 **RETURN, MAY CONTRIBUTE TO THE MARYLAND VETERANS TRUST FUND THE**
7 **AMOUNT DESIGNATED BY THE INDIVIDUAL; AND**

8 **(II) 1. THE INDIVIDUAL SHALL DEDUCT THE AMOUNT OF THE**
9 **CONTRIBUTION FROM ANY REFUND TO WHICH THE INDIVIDUAL IS ENTITLED; OR**

10 **2. IF THE INDIVIDUAL IS NOT ENTITLED TO A REFUND,**
11 **THE INDIVIDUAL SHALL ADD THE AMOUNT OF THE CONTRIBUTION TO THE INCOME**
12 **TAX TO BE PAID WITH THE RETURN.**

13 **(3) THE COMPTROLLER SHALL INCLUDE, WITH THE INDIVIDUAL**
14 **INCOME TAX RETURN PACKAGE, A DESCRIPTION OF THE PURPOSES FOR WHICH THE**
15 **MARYLAND VETERANS TRUST FUND WAS ESTABLISHED AND THE PURPOSES FOR**
16 **WHICH THE FUND MAY BE USED.**

17 **(B) THE COMPTROLLER SHALL:**

18 **(1) COLLECT THE CHECKOFF CONTRIBUTIONS AND ACCOUNT TO THE**
19 **STATE TREASURER FOR THE MONEY COLLECTED;**

20 **(2) FROM THE CONTRIBUTIONS COLLECTED, DISTRIBUTE THE**
21 **AMOUNT NECESSARY TO ADMINISTER THE CHECKOFF TO AN ADMINISTRATIVE COST**
22 **ACCOUNT; AND**

23 **(3) AFTER THE DISTRIBUTION UNDER ITEM (2) OF THIS SUBSECTION,**
24 **DISTRIBUTE THE REMAINDER OF THE MONEY COLLECTED UNDER THIS SUBSECTION**
25 **TO THE MARYLAND VETERANS TRUST FUND ESTABLISHED UNDER § 9-913 OF THE**
26 **STATE GOVERNMENT ARTICLE.**

27 10-804.

28 **(L) AN INDIVIDUAL MAY DESIGNATE A CONTRIBUTION TO THE MARYLAND**
29 **VETERANS TRUST FUND ESTABLISHED UNDER § 9-913 OF THE STATE**
30 **GOVERNMENT ARTICLE BY THE CHECKOFF ON THE RETURN.**

31 **Article – State Government**

32 9-913.

- 1 (a) In this section, “Fund” means the Maryland Veterans Trust Fund.
- 2 (b) (1) There is a Maryland Veterans Trust established for the purpose of
3 providing monetary and other assistance to:
- 4 (i) veterans and their families; and
- 5 (ii) public and private programs that support veterans and their
6 families.
- 7 (2) There is a Maryland Veterans Trust Fund.
- 8 (c) The Trust shall be a body corporate and shall have perpetual existence,
9 subject to modification or termination by the General Assembly if necessary to effectuate
10 its purpose or if its substantial purpose ceases to exist.
- 11 (d) The Fund consists of:
- 12 (1) gifts and grants that the Trust receives under § 9–914.2(a)(1) of this
13 subtitle; [and]
- 14 (2) contributions to the Fund from:
- 15 (i) the sale of tickets from instant ticket lottery machines under §
16 9–112(d) of this title;
- 17 (ii) the donations from video lottery facility players under §
18 9–1A–04(d)(19) of this title;
- 19 (iii) the designated fees from special registration plates for recipients
20 of an individually earned, combat–related armed forces medal under § 13–619.1 of the
21 Transportation Article; and
- 22 (iv) civil penalties collected in accordance with § 9–905.1 of this
23 subtitle; **AND**
- 24 **(3) THE NET PROCEEDS FROM CONTRIBUTIONS UNDER THE INCOME**
25 **TAX CHECKOFF ESTABLISHED UNDER § 2–117 OF THE TAX – GENERAL ARTICLE.**
- 26 (e) Money in the Fund may only be used to:
- 27 (1) make grants and loans under § 9–914.2(a)(3) of this subtitle;
- 28 (2) be invested under § 9–914.3(b) of this subtitle; and
- 29 (3) pay the costs of administering the Fund through distribution to an

1 administrative cost account in the Department.

2 (f) Money expended from the Fund is not intended to take the place of funding
3 that would otherwise be appropriated to the Department.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
5 1, 2023, and shall be applicable to all taxable years beginning after December 31, 2022.