

SUBSTITUTE FOR  
SENATE BILL NO. 515

A bill to amend 1967 PA 281, entitled  
"Income tax act of 1967,"  
by amending section 438 (MCL 206.438), as added by 2004 PA 364.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 438. (1) For tax years that begin after December 31,  
2   2003, ~~and before January 1, 2008,~~ a taxpayer may designate on his  
3   or her annual return that a contribution of \$1.00 or more of his or  
4   her refund be credited to the military family relief fund **CREATED**  
5   **IN SECTION 3 OF THE MILITARY FAMILY RELIEF FUND ACT, 2004 PA 363,**  
6   **MCL 35.1213. NOTWITHSTANDING ANY OTHER PROVISION IN THIS SECTION,**  
7   **FOR THE TAX YEARS BEGINNING ON AND AFTER JANUARY 1, 2010, THE**  
8   **CONTRIBUTION DESIGNATION AUTHORIZED UNDER THIS SECTION SHALL BE**  
9   **OFFERED AND ADMINISTERED IN ACCORDANCE WITH SECTION 435.**  
10       (2) If a taxpayer's refund is not sufficient to make a

1 contribution under this section, the taxpayer may designate that  
2 the amount designated be added to the taxpayer's tax liability for  
3 the tax year.

4 (3) The contribution designation authorized in this section  
5 shall be clearly and unambiguously printed on the first page of all  
6 state individual income tax return forms, if practicable. **EFFECTIVE**  
7 **JANUARY 1, 2010, THE CONTRIBUTION DESIGNATION AUTHORIZED IN THIS**  
8 **SECTION IS NO LONGER REQUIRED TO BE PRINTED ON THE FIRST PAGE OF**  
9 **THE STATE INDIVIDUAL INCOME TAX RETURN BUT SHALL BE INCORPORATED**  
10 **INTO THE CONTRIBUTIONS SCHEDULE CREATED BY THE DEPARTMENT PURSUANT**  
11 **TO SECTION 435 AND SHALL REMAIN ON THE SCHEDULE UNTIL THE**  
12 **CONTRIBUTION DESIGNATION EXPIRES OR IS OTHERWISE NO LONGER**  
13 **AVAILABLE.**

14 (4) Notwithstanding the other allocations and disbursements  
15 required by this act, **AND EACH YEAR THAT THE CONTRIBUTION**  
16 **DESIGNATION IS IN EFFECT,** an amount equal to the cumulative  
17 designations made under this section, less the amount appropriated  
18 to the department of treasury for the purpose of implementing this  
19 section, shall be **APPROPRIATED FROM THE GENERAL FUND AND**  
20 distributed each fiscal year to the department of military and  
21 veterans affairs to be used as follows:

22 (a) Twenty percent to the post fund and posthumous fund of the  
23 Michigan soldiers' home to be used as provided in 1905 PA 313, MCL  
24 36.61.

25 (b) Eighty percent to the military family relief fund created  
26 in the military family relief fund act, **2004 PA 363, MCL 35.1211 TO**  
27 **35.1216.**

1           (5) Money appropriated pursuant to this section to the  
2 department of military and veterans affairs shall be in addition to  
3 any allocations and appropriations and is intended to enhance  
4 appropriations from the general fund and not to replace or supplant  
5 those appropriations.