

# Legislative Analysis

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## **NEW INCOME TAX CHECK-OFF: BOY SCOUTS OF MICHIGAN**

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<http://www.house.mi.gov/hfa>

**House Bills 4647 & 4648**  
**Sponsor: Rep. Phil Potvin**  
**Committee: Tax Policy**  
**Complete to 6-15-15**

Analysis available at  
<http://www.legislature.mi.gov>

### **SUMMARY:**

House Bills 4647 and 4648 would place an additional check-off box on the state income tax return form to allow taxpayers to make voluntary donations to the Boy Scouts of Michigan. This would be added to the list of funds to which a taxpayer could contribute \$5, \$10, or more on an annual tax return. The amount of the contribution is deducted from a refund or added to the amount of tax owed (meaning it has no state revenue impact). Under Section 435 of the Income Tax Act, the Department of Treasury has established a separate schedule on the income tax form for contribution designations.

New contribution designations require two bills each. In this instance, House Bill 4647 amends the Income Tax Act to create the check-off on the individual income tax form, and House Bill 4648 creates the Boy Scouts of Michigan Fund to receive donations from taxpayers. Donations credited to this fund by the Department of Treasury are for donation to any Boy Scout organization in the state. Funds are subject to appropriation each year, and any amount remaining in the fund at the end of the year does not lapse into the General Fund. The bills are tie-barred to each other.

### **BACKGROUND INFORMATION:**

The state income tax form contains a voluntary contribution schedule that allows taxpayers to make donations on a separate form to certain specially selected charitable programs. The recipient groups become eligible for the contributions through legislative action. The Income Tax Act must be amended to name the organization. The act also requires the Department of Treasury to remove a contribution designation from the schedule if the designation fails to raise \$50,000 in any single tax year for two consecutive tax years. A number of organizations have been removed in recent years.

The following contributions are on the 2014 tax form: ALS of Michigan Fund, Alzheimer's Association of Michigan, AMBER Alert Fund of Michigan, Animal Welfare Fund, Children of Veterans Tuition Grant Program, Children's Trust Fund, Military Family Relief Fund, Special Olympics Fund, and the United Way Fund.

The following were once on the state income tax form but have been dropped: the Girls Scouts of Michigan Fund (dropped for Tax Year 2014), the Prostate Cancer Research Fund, Amanda's Fund for Breast Cancer, the Housing and Community Development Fund, the Law Enforcement Officers Memorial Monument Fund, the Renewable Fuels Fund, the

Council for the Arts Fund, the Foster Care Trust Fund, the Children's Miracle Network Fund, and the Children's Hospital of Michigan Fund.

Public Act 151 of 2012 (House Bill 5232) amended the Income Tax Act to make a number of changes to the voluntary contribution schedule. The changes include the following:

- The contributions schedule can contain no more than 10 separate contribution designations in any single tax year. (Currently, there is one slot remaining.)
- All money appropriated from contributions must be distributed as required by the appropriate fund within one year and none can be used for administering the fund.
- If a fund receiving contributions is to be used to donate to multiple organizations, the department responsible for administering the fund must designate one local representative or agency of that organization to administer and distribute the funds (in a manner provided in the act creating the fund).
- When deciding whether to grant approval to an additional contribution designation, the Legislature must consider whether the organization:
  - Serves multiple regions throughout Michigan.
  - Has demonstrated that it is capable of raising more than \$50,000 during the tax year through means other than the income tax contribution designation.
  - Spends 30% or more of its money to cover administrative and fund-raising costs. (Presumably, lower percentages are preferred.)
  - Had previously been included on the contributions schedule within the three immediately preceding years and had been removed for failing to raise a sufficient amount.
  - Receives any other state funds or other type of financial assistance from the state.
  - Is associated with a nonprofit charitable organization.

#### **FISCAL IMPACT:**

These are voluntary contributions and have no state revenue impact.

The bills would have an indeterminate, but likely negligible, fiscal impact on the Department of Treasury. The provisions of the bill may create certain administrative costs in administering the fund and amending tax forms to accommodate the check-off, but these are expected to be minimal and will be absorbed through current appropriation levels.

The following chart shows the contributions from the 2014 tax year, as provided by the Department of Treasury:

**Voluntary Contributions in 2014 tax year (as of June 11)**

Fund	Contributors	Contributions
ALS of Michigan Fund	4,044	\$49,774
Alzheimer's Association of Michigan	5,816	\$65,514
AMBER Alert Fund Of Michigan	3,560	\$28,305
Animal Welfare Fund	8,640	\$95,735
Children of Veterans Tuition Grant Program	4,791	\$50,635
Children's Trust Fund	6,691	\$68,661
Military Family Relief Fund	7,632	\$94,118
Special Olympics Michigan	4,786	\$53,513
United Way Fund	3,881	\$86,530
Total:		\$592,785

The AMBER Alert Fund may be removed from the Tax Year 2015 forms, as it is likely to fall below the \$50,000 threshold for the second year in a row.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.