

HOUSE BILL NO. 4362

April 11, 2023, Introduced by Reps. Brabec, Liberati, Haadsma, Rheingans, Brenda Carter, Hope, Tyrone Carter, Coffia, Breen, Price, Mentzer, Young, Rogers, Hood, Paiz, Hill, Tsernoglou, Churches, Skaggs, Whitsett and Aiyash and referred to the Committee on Health Policy.

A bill to amend 1967 PA 281, entitled
"Income tax act of 1967,"
by amending section 471 (MCL 206.471), as amended by 2011 PA 38,
and by adding section 474.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 471. (1) The **department shall administer the** tax imposed
2 by this part. ~~shall be administered by the department.~~ The
3 department shall prescribe forms for use by taxpayers and may
4 promulgate rules for all of the following:
5 (a) The maintenance by taxpayers of records, books, and

1 accounts.

2 (b) The computation of the tax.

3 (c) The manner and time of changing or electing accounting
4 methods and of exercising the accounting method options contained
5 in this part.

6 (d) The making of returns, the payment of tax due, and the
7 ascertainment, assessment, and collection of the tax.

8 (2) The rules shall follow the rulings of the United States
9 ~~internal revenue service~~ **Internal Revenue Service** with respect to
10 the federal income tax if those rulings are not inconsistent with
11 this part, and the department may adopt as a part of the rules any
12 portions of the internal revenue code or rulings, in whole or in
13 part.

14 ~~(3) A summary of state expenditures and revenues by major~~
15 ~~category, in dollar amounts and percentage of total, for the most~~
16 ~~recent state fiscal year that the information is available, shall~~
17 ~~be printed in the instruction booklet accompanying each state~~
18 ~~income tax return.~~

19 (3) ~~(4)~~ Each state income tax return shall contain a space for
20 the taxpayer to indicate the school district in which the taxpayer
21 resides. **Beginning with the 2023 tax year and each tax year after**
22 **2023, the state income tax return shall contain a space for the**
23 **individual taxpayer to indicate if he or she is willing to**
24 **participate in the anatomical gift donor registry under part 101 of**
25 **the public health code, 1978 PA 368, MCL 333.10101 to 333.10123.**
26 **The state income tax return shall also include the following**
27 **statement under that space: "An individual taxpayer willing to**
28 **participate in the anatomical gift donor registry must complete the**
29 **donor registry schedule and submit it with the taxpayer's state**

1 **income tax return."**

2 (4) ~~(5)~~—The department may provide information in the
3 instruction booklet about the purchase of an annual state park
4 motor vehicle permit pursuant to part 741 of the natural resources
5 and environmental protection act, 1994 PA 451, MCL 324.74101 to
6 ~~324.74125.~~**324.74126.**

7 (5) ~~(6)~~—In the instruction booklet that accompanies the annual
8 return required under this part, the department shall ~~provide a~~
9 **include all of the following:**

10 (a) **A clear and concise listing of each credit and each**
11 **deduction allowed under this part and a reference to a detailed**
12 **explanation.**

13 (b) **A summary of state expenditures and revenues by major**
14 **category, in dollar amounts and percentage of total, for the most**
15 **recent state fiscal year that the information is available.**

16 (c) **Beginning with the 2023 tax year, information describing**
17 **the donor registry program maintained by Michigan's federally**
18 **designated organ procurement organization or its successor**
19 **organization under section 10120 of the public health code, 1978 PA**
20 **368, MCL 333.10120, explaining the taxpayer's right to make an**
21 **anatomical gift in the event of death under part 101 of the public**
22 **health code, 1978 PA 368, MCL 333.10101 to 333.10123, and providing**
23 **the taxpayer with the opportunity to specify, in a form and manner**
24 **as prescribed by the department under section 474, on the**
25 **taxpayer's annual return required under this part that the**
26 **individual taxpayer is willing to participate and have his or her**
27 **name placed on the donor registry.**

28 (6) ~~(7)~~—The department shall post the list described in
29 subsection ~~(6)~~ **(5) (a)** on the department's official website.

1 Sec. 474. (1) Beginning with 2023 tax year and each tax year
2 after 2023, the department shall develop and utilize a separate
3 donor registry schedule, that may be filed with a taxpayer's annual
4 return, that provides an individual taxpayer with the opportunity
5 to specify that the individual agrees to participate in the
6 anatomical gift donor registry under part 101 of the public health
7 code, 1978 PA 368, MCL 333.10101 to 333.10123, and is willing to
8 make an anatomical gift in the event of death under part 101 of the
9 public health code, 1978 PA 368, MCL 333.10101 to 333.10123. The
10 separate donor registry schedule required under this section must
11 include, at a minimum, all of the following information:

12 (a) The individual taxpayer's name, date of birth, address,
13 and 1 of the following:

14 (i) Social Security number.

15 (ii) Driver's license number.

16 (iii) State personal identification card number.

17 (b) Information describing the donor registry program
18 maintained by Michigan's federally designated organ procurement
19 organization or its successor organization under section 10120 of
20 the public health code, 1978 PA 368, MCL 333.10120. The information
21 required under this subdivision must include the address and
22 telephone number of Michigan's federally designated organ
23 procurement organization or its successor organization as described
24 in section 10120 of the public health code, 1978 PA 368, MCL
25 333.10120.

26 (c) Information that if the individual taxpayer completes and
27 files the donor registry schedule created under this section with
28 the taxpayer's annual return, the department will forward the
29 completed schedule to the secretary of state for that individual to

1 be included as a donor on the donor registry maintained by the
2 secretary of state in accordance with section 10120 of the public
3 health code, 1978 PA 368, MCL 333.10120.

4 (2) For taxpayers who file a joint return, each individual
5 taxpayer shall complete a separate donor registry schedule required
6 under this section to be included as a donor on the donor registry
7 described under subsection (1). The department shall forward, in a
8 manner and frequency determined by the secretary of state, each
9 donor registry schedule filed with an annual return to the
10 secretary of state. The confidentiality restrictions provided in
11 section 28(1)(f) of 1941 PA 122, MCL 205.28, do not apply to the
12 disclosure required by this subsection.

13 (3) Information about an individual taxpayer's indication of a
14 willingness to have the individual's name placed on the donor
15 registry that is obtained by the department and forwarded to the
16 secretary of state under this section is exempt from disclosure
17 under section 13(1)(d) of the freedom of information act, 1976 PA
18 442, MCL 15.243. The department is not required to maintain a
19 record of an individual taxpayer who does not indicate a
20 willingness to have his or her name placed on the donor registry
21 described in subsection (1).

22 Enacting section 1. This amendatory act does not take effect
23 unless all of the following bills of the 102nd Legislature are
24 enacted into law:

25 (a) Senate Bill No. ____ or House Bill No. 4364 (request no.
26 00530'23 a).

27 (b) Senate Bill No. ____ or House Bill No. 4363 (request no.
28 01343'23).