

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
90th General Assembly
Regular Session, 2015

As Engrossed: S2/24/15
A Bill

SENATE BILL 461

By: Senator B. Sample

For An Act To Be Entitled

AN ACT CONCERNING INCOME TAX REFUND CHECK-OFF AND CONTRIBUTION PROGRAMS; TO CREATE AN INCOME TAX REFUND CHECK-OFF PROGRAM FOR THE ARKANSAS GAME AND FISH FOUNDATION; TO ELIMINATE THE INCOME TAX REFUND CHECK-OFF PROGRAM FOR THE UNITED STATES OLYMPIC COMMITTEE PROGRAM; AND FOR OTHER PURPOSES.

Subtitle

TO CREATE AN INCOME TAX REFUND CHECK-OFF PROGRAM FOR THE ARKANSAS GAME AND FISH FOUNDATION; AND TO ELIMINATE THE INCOME TAX REFUND CHECK-OFF PROGRAM FOR THE UNITED STATES OLYMPIC COMMITTEE PROGRAM.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 26-51-2501 is repealed.

~~26-51-2501. Contribution to Olympic Committee Program.~~

~~(a)(1) The Revenue Division of the Department of Finance and Administration shall include on the Arkansas individual income tax forms, including those forms on which a husband and wife file separately on the same form, and on all corporate income tax forms, a designation as follows:~~

~~(A) If you are entitled to a refund, check if you wish to designate [] \$1, [] \$5, [] \$10, [] \$ (write in amount), or [] all refund due, of your tax refund for the United States Olympic Committee Program. Your refund will be reduced by this amount.~~

~~(B) If you owe an additional amount, check if you wish to~~



~~contribute an additional [] \$1, [] \$5, [] \$10, [] \$ (write in amount) for the United States Olympic Committee Program. If you wish to make a contribution to the program, you must enclose a separate check for the amount of your contribution, payable to the United States Olympic Committee Program.~~

~~(2) The United States Olympic Committee check-off program on state income tax returns shall be effective beginning with the returns for the 1993 income year and each income year thereafter.~~

~~(3) The Director of the Department of Finance and Administration shall have the authority to promulgate all rules and regulations and all income tax forms, returns, and schedules necessary to carry out this program.~~

~~(b) The Department of Finance and Administration shall quarterly certify to the Treasurer of State the amount contributed to the program through this state income tax checkoff during the quarter as authorized by this section, and the Treasurer of State shall deduct from the Individual Income Tax Withholding Fund the amount so certified.~~

~~(c)(1) There is hereby created on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a United States Olympic Committee Program Trust Fund. The Treasurer of State shall credit to the fund the amount certified each quarter in accordance with subsection (b) of this section.~~

~~(2) The moneys credited to this fund shall be held as trust funds in interest-bearing accounts only. All interest earned shall be credited to the program fund and shall be used only for the purposes of that fund. At the end of each fiscal year, the Treasurer of State shall transfer all designated moneys in the fund to the United States Olympic Committee.~~

~~(3) All funds deposited into the fund and all interest earned on deposits and fund balances in the fund may be disbursed as appropriated in each fiscal year of the biennium for the program created by this section.~~

~~(d)(1) The director is authorized to accept any gifts, grants, bequests, devises, and donations made to the State of Arkansas for the purpose of funding the United States Olympic Committee Program.~~

~~(2) The director shall deposit any of these gifts, grants, bequests, devises, and donations so received into the United States Olympic Committee Program Trust Fund. These gifts, grants, bequests, devises, and donations shall be used together with any other funds appropriated for~~

~~funding the program provided for in this section.~~

~~(3) All gifts, grants, bequests, devises, and donations shall be deposited, disbursed, budgeted, and regulated under the procedures prescribed by the Chief Fiscal Officer of the State under § 19-4-806.~~

~~(4)(A) The provisions of this section allowing the director to accept gifts, grants, bequests, devises, and donations shall be effective on August 13, 1993.~~

~~(B) The director is authorized to promulgate rules and regulations to carry out those provisions of this section.~~

~~(c) The division shall be authorized to establish any regulation to effectively carry out the revenue-producing provisions of this section.~~

SECTION 2. Arkansas Code Title 26, Chapter 51, Subchapter 25, is amended to add an additional section to read as follows:

26-51-2510. Contributions to the Arkansas Game and Fish Foundation.

(a)(1) It is the purpose of this section to provide a means by which an individual taxpayer may designate a portion or all of his or her income tax refund to be withheld and contributed for the purposes stated in this section.

(2) It is the intent of the General Assembly that the income tax check-off program established in this section be supplemental to any funding that would otherwise be appropriated for the purposes stated in this section.

(b) The Revenue Division of the Department of Finance and Administration shall include on the Arkansas individual income tax forms, including those forms on which a husband and wife file separately on the same form and on all corporate income tax forms, a designation as follows:

“(1) If you are entitled to a refund, check if you wish to designate [] \$1, [] \$5, [] \$10, [] \$_____ (write in amount), or [] all refund due of your tax refund for the Arkansas Game and Fish Foundation. Your refund will be reduced by this amount.

(2) If you owe an additional amount, check if you wish to contribute an additional [] \$1, [] \$5, [] \$10, [] \$_____ (write in amount) for the Arkansas Game and Fish Foundation. If you wish to make a contribution to the foundation, you must enclose a separate check for the amount of your contribution, payable to the Arkansas Game and Fish Foundation.”.

(c) The Department of Finance and Administration shall certify quarterly to the Treasurer of State the amount contributed to the program through this state income tax check-off during the quarter as authorized by this section, and the Treasurer of State shall deduct from the:

(1) Individual Income Tax Withholding Fund the amount certified by the department as contributed to the program on individual income tax forms; and

(2) Corporate Income Tax Withholding Fund the amount certified by the department as contributed to the program on corporate income tax forms.

(d) The Director of the Department of Finance and Administration may promulgate rules necessary to carry out the program established under this section.

SECTION 3. EFFECTIVE DATE. Sections 1 and 2 of this act are effective for tax years beginning on or after January 1, 2015.

/s/B. Sample