

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

A Bill

SENATE BILL 461

5 By: Senator B. Sample
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For An Act To Be Entitled

8 AN ACT CONCERNING INCOME TAX REFUND CHECK-OFF AND
9 CONTRIBUTION PROGRAMS; TO CREATE AN INCOME TAX REFUND
10 CHECK-OFF PROGRAM FOR THE ARKANSAS GAME AND FISH
11 FOUNDATION; TO ELIMINATE THE INCOME TAX REFUND CHECK-
12 OFF PROGRAM FOR THE UNITED STATES OLYMPIC COMMITTEE
13 PROGRAM; AND FOR OTHER PURPOSES.
14
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Subtitle

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17 TO CREATE AN INCOME TAX REFUND CHECK-OFF
18 PROGRAM FOR THE ARKANSAS GAME AND FISH
19 FOUNDATION; AND TO ELIMINATE THE INCOME
20 TAX REFUND CHECK-OFF PROGRAM FOR THE
21 UNITED STATES OLYMPIC COMMITTEE PROGRAM.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 26-51-2501 is repealed.

27 ~~26-51-2501. Contribution to Olympic Committee Program.~~

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15 26-51-2510. Contributions to the Arkansas Game and Fish Foundation.

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

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

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

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

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

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

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

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

11 (d) The Director of the Department of Finance and Administration shall
12 promulgate all rules and all income tax forms, returns, and schedules
13 necessary to carry out the program established under this section.

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

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