

**SUBSTITUTE FOR
HOUSE BILL NO. 4357**

A bill to amend 1967 PA 281, entitled
"Income tax act of 1967,"
(MCL 206.1 to 206.532) by adding section 438.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 438. (1) FOR THE 1997 TAX YEAR AND EACH TAX YEAR AFTER
2 THE 1997 TAX YEAR, A TAXPAYER THAT IS ENTITLED TO A TAX REFUND
3 UNDER THIS ACT SUFFICIENT TO MAKE A DESIGNATION UNDER THIS SEC-
4 TION MAY DESIGNATE THAT \$2.00 OR MORE OF HIS OR HER REFUND BE
5 CREDITED TO THE VIETNAM VETERANS MEMORIAL MONUMENT FUND CREATED
6 IN SECTION 3 OF THE MICHIGAN VIETNAM VETERANS MEMORIAL ACT, 1988
7 PA 234, MCL 35.1053. IF THE TAXPAYER'S REFUND IS NOT SUFFICIENT
8 TO MAKE A CONTRIBUTION UNDER THIS SECTION, THE TAXPAYER MAY DES-
9 IGNATE A CONTRIBUTION AMOUNT AND THAT CONTRIBUTION AMOUNT SHALL
10 BE ADDED TO THE TAXPAYER'S TAX LIABILITY FOR THE TAX YEAR.

HB4357, As Passed House, March 20, 1997

House Bill No. 4357

2

1 (2) MONEY CONTRIBUTED PURSUANT TO THIS SECTION SHALL BE HELD
2 IN AN ESCROW ACCOUNT SEPARATE FROM THE VIETNAM VETERANS MEMORIAL
3 MONUMENT FUND UNTIL ACTUAL COSTS FOR CONSTRUCTION HAVE ACCRUED.
4 WHEN ACTUAL CONSTRUCTION COSTS HAVE ACCRUED, THE MONEY IN THE
5 ESCROW ACCOUNT SHALL BE RELEASED TO THE VIETNAM VETERANS MEMORIAL
6 MONUMENT FUND.

7 (3) THE TAX DESIGNATION AUTHORIZED IN THIS SECTION SHALL BE
8 CLEARLY AND UNAMBIGUOUSLY PRINTED ON THE FIRST PAGE OF THE STATE
9 INDIVIDUAL INCOME TAX RETURN FORMS UNTIL THE TAX YEAR IMMEDIATELY
10 FOLLOWING THE YEAR IN WHICH THE MICHIGAN VIETNAM VETERANS MEMO-
11 RIAL MONUMENT FUND COMMISSION IS DISSOLVED PURSUANT TO SECTION 7
12 OF THE MICHIGAN VIETNAM VETERANS MEMORIAL ACT, 1988 PA 234, MCL
13 35.1057. THE CONTRIBUTION AMOUNT FOR CONTRIBUTIONS MADE PURSUANT
14 TO THIS SECTION SHALL BE CONSISTENT WITH THAT OF OTHER TAX
15 DESIGNATIONS.

16 (4) NOTWITHSTANDING ANY OTHER ALLOCATIONS OR DISBURSEMENTS
17 REQUIRED BY THIS ACT AND SUBJECT TO SUBSECTION (5), AN AMOUNT
18 EQUAL TO THE CUMULATIVE DESIGNATION MADE UNDER THIS SECTION, LESS
19 THE AMOUNT APPROPRIATED TO THE DEPARTMENT TO IMPLEMENT THIS SEC-
20 TION, SHALL BE DEPOSITED IN THE VIETNAM VETERANS MEMORIAL MONU-
21 MENT FUND CREATED IN SECTION 3 OF THE MICHIGAN VIETNAM VETERANS
22 MEMORIAL ACT, 1988 PA 234, MCL 35.1053, AND SHALL BE APPROPRIATED
23 SOLELY FOR THE PURPOSES OF THAT FUND.

24 (5) ALL CONTRIBUTIONS MADE UNDER THIS SECTION AFTER THE
25 TOTAL AMOUNT IN THE MICHIGAN VIETNAM VETERANS MEMORIAL MONUMENT
26 FUND EQUALS \$1,200,000.00, LESS THE AMOUNT APPROPRIATED TO THE
27 DEPARTMENT TO IMPLEMENT THIS SECTION, SHALL NOT BE DEPOSITED IN

HB4357, As Passed House, March 20, 1997

House Bill No. 4357

3

1 THE MICHIGAN VIETNAM VETERANS MEMORIAL MONUMENT FUND BUT SHALL BE
2 DEPOSITED IN THE MICHIGAN VETERANS TRUST FUND ESTABLISHED IN SEC-
3 TION 37 OF ARTICLE IX OF THE STATE CONSTITUTION OF 1963. THE
4 DEPARTMENT SHALL PROVIDE NOTICE OF THE DEPOSIT PROVISIONS OF THIS
5 SUBSECTION ON THE ANNUAL RETURN OR IN THE INSTRUCTION BOOKLET
6 THAT ACCOMPANIES THE ANNUAL RETURN.