

HOUSE BILL No. 5344

October 20, 2005, Introduced by Reps. Moore, Byrnes, Caul, Palsrok, Gosselin, Proos, Taub, Baxter and Stahl and referred to the Committee on Higher Education and Career Preparation.

A bill to amend 1967 PA 281, entitled
"Income tax act of 1967,"
by amending section 352 (MCL 206.352), as added by 1996 PA 568.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 352. (1) For the 1997 tax year and each tax year after
2 the 1997 tax year, a taxpayer who is due a refund determined under
3 section 30 of ~~Act No. 122 of the Public Acts of 1941, being~~
4 ~~section 205.30 of the Michigan Compiled Laws~~ **1941 PA 122, MCL**
5 **205.30**, may request a direct deposit of that refund to a financial
6 institution of the taxpayer's choice that is located in the United
7 States by completing a direct deposit form prescribed by the
8 department and attaching the completed form to the taxpayer's
9 annual return.

1 (2) FOR TAX YEARS THAT BEGIN AFTER DECEMBER 31, 2005, A
2 TAXPAYER WHO IS DUE A REFUND UNDER SECTION 30 OF 1941 PA 122, MCL
3 205.30, MAY REQUEST A DIRECT DEPOSIT OF THAT REFUND TO A MICHIGAN
4 EDUCATION TRUST ACCOUNT ESTABLISHED PURSUANT TO THE MICHIGAN
5 EDUCATION TRUST ACT, 1986 PA 316, MCL 390.1421 TO 390.1442, OR TO A
6 MICHIGAN EDUCATION SAVINGS ACCOUNT ESTABLISHED PURSUANT TO THE
7 MICHIGAN EDUCATION SAVINGS PROGRAM ACT, 2000 PA 161, MCL 390.1471
8 TO 390.1486, BY COMPLETING A FORM DEVELOPED AND DISSEMINATED BY THE
9 DEPARTMENT TO IMPLEMENT THIS SECTION AND ATTACHING THE COMPLETED
10 FORM TO THE TAXPAYER'S ANNUAL RETURN REQUIRED UNDER THIS ACT.

11 (3) ~~-(2)-~~ The department shall comply with a request under
12 this section unless the request is incomplete or defective in a
13 manner that precludes the department from honoring the request. If
14 the department does not honor the request, the department shall
15 issue a warrant, as provided in ~~Act No. 122 of the Public Acts of~~
16 ~~1941, being sections 205.1 to 205.31 of the Michigan Compiled Laws~~
17 **1941 PA 122, MCL 205.1 TO 205.31**, and at the same time provide the
18 taxpayer with a written explanation including the specific reason
19 for not honoring the taxpayer's request for direct deposit.