

2005 DRAFTING REQUEST

Bill

Received: **10/01/2004**

Received By: **mshovers**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget 7-0371**

By/Representing: **Caucutt**

This file may be shown to any legislator: **NO**

Drafter: **mshovers**

May Contact:

Addl. Drafters:

Subject: **Tax, Individual - income**

Extra Copies:

Submit via email: **NO**

Pre Topic:

DOA:.....Caucutt, BB0100 -

Topic:

Individual income tax checkoff for veterans trust fund donation

Instructions:

See Attached. Creat checkoff for donations to the veterans trust fund. See 2003 Act 173, s0360/1

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mshovers 10/01/2004	kfollett 10/27/2004		_____			State
/1			rschluet 10/28/2004	_____	lemery 10/28/2004		State
/2	mshovers 10/28/2004	kfollett 10/28/2004	pgreensl 10/28/2004	_____	lemery 10/28/2004		State
/3	mshovers 01/03/2005	kfollett 01/03/2005	rschluet 01/04/2005	_____	lemery 01/04/2005		State
/4	mshovers 01/11/2005	kfollett 01/11/2005	pgreensl 01/12/2005	_____	lnorthro 01/12/2005		State

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

jkreye wjackson
01/26/2005 01/26/2005

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jfrantze _____
01/26/2005 _____

lnorthro
01/26/2005

FE Sent For:

<END>

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/3	mshovers 01/03/2005	kfollett 01/03/2005	rschluet 01/04/2005	_____	lemery 01/04/2005		State
/4	mshovers 01/11/2005	kfollett 01/11/2005	pgreensl 01/12/2005	_____	lnorthro 01/12/2005		

[Handwritten signatures and dates]
01/26 01/26

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15 Wlj 1/26

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/3	mshovers 01/03/2005	kfollett 01/03/2005	rschluet 01/04/2005	_____	lemery 01/04/2005		

14 MES 1/11/05
FE Sent For: 14/08
1111

2005 DRAFTING REQUEST

Bill

Received: 10/01/2004

Received By: mshovers

Wanted: As time permits

Identical to LRB:

For: Administration-Budget 7-0371

By/Representing: Schaeffer

This file may be shown to any legislator: NO

Drafter: mshovers

May Contact:

Addl. Drafters:

Subject: Tax, Individual - income

Extra Copies:

Submit via email: NO

Pre Topic:

DOA:.....Schaeffer, BB0100 -

Topic:

Individual income tax checkoff for veterans trust fund donation

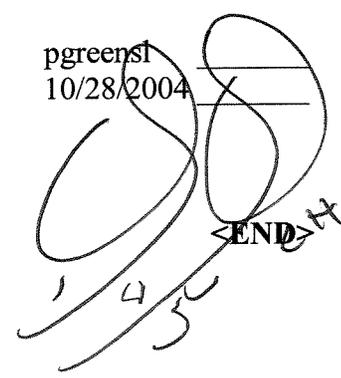
Instructions:

See Attached. Creat checkoff for donations to the veterans trust fund. See 2003 Act 173, s0360/1

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/2	mshovers 10/28/2004	kfollett 10/28/2004	pgreensl 10/28/2004	_____	lemery 10/28/2004		

13 NES 1/3/05
FE Sent For: 13/8/13


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FE Sent For:			10/28 p8	rslm <END>			

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1?	mshovers	11kj 10/27					
11 MES 10/1/04							
FE Sent For:							

Handwritten notes: 16, 22, 4, <END>, 11/2

2003-05 Budget Bill Statutory Language Drafting Request

- Topic: Designated donation on state tax returns
- Tracking Code: BB0100
- SBO team: Ops
- SBO analyst: Carole Schaeffer
 - Phone: 7-0371
 - Email: carole.schaeffer@doa.state.wi.us
- Agency acronym: DVA
- Agency number: 485

DESIGNATED DONATION ON STATE TAX RETURNS

Increasing revenues for the Veterans Trust Fund (VTF) is a major goal the department's 10-year VTF solvency plan. Having a designated donation option on individual tax returns is one of the new revenue options the department is pursuing as an initiative in the 2005-07 biennial budget. The following statutory language creates a state tax return designated donation option that enables taxpayers to contribute to the Veterans Trust Fund.

71.10 (5m) of the statutes is created to read:

71.10 (5m) VETERANS TRUST FUND DONATION. (a) *Definitions.* In this subsection:

1. "Department" means the department of revenue.
2. "Veterans trust fund" means the fund under s. 25.36.
3. "Veterans trust fund donation" means a designation made under this subsection, the net proceeds of which shall be deposited into the veterans trust fund to be used for the veterans programs under s. 25.36 (1).
 - (b) *Voluntary payments.* 1. 'Designation on return.' Every individual filing an income tax return who has a tax liability or is entitled to a tax refund may designate on the return any amount of additional payment or any amount of a refund due that individual as a veterans trust fund donation.
 2. 'Designation added to tax owed.' If the individual owes any tax, the individual shall remit in full the tax due and the amount designated on the return as a veterans trust fund donation when the individual files a tax return.
 3. 'Designation deducted from refund.' Except as provided under par. (d), if the

100
000236

individual is owed a refund for that year after crediting under ss. 71.75 (9) and 71.80 (3), the department shall deduct the amount designated on the return as a veterans trust fund donation from the amount of the refund.

(c) *Errors; failure to remit correct amount.* If an individual who owes taxes fails to remit an amount equal to or in excess of the total of the actual tax due, after error corrections, and the amount designated on the return as a veterans trust fund donation:

1. The department shall reduce the designation for the veterans trust fund donation to reflect the amount remitted in excess of the actual tax due, after error corrections, if the individual remitted an amount in excess of the actual tax due, after error corrections, but less than the total of actual tax due, after error corrections, and the amount originally designated on the return as a veterans trust fund donation.

2. The designation for the veterans trust fund donation is void if the individual remitted an amount equal to or less than the actual tax due, after error corrections.

(d) *Errors; insufficient refund.* If an individual who is owed a refund that does not equal or exceed the amount designated on the return as a veterans trust fund donation, after crediting under ss. 71.75 (9) and 71.80 (3) and after error corrections, the department shall reduce the designation for the veterans trust fund donation to reflect the actual amount of the refund the individual is otherwise owed, after crediting under ss. 71.75 (9) and 71.80 (3) and after error corrections.

(e) *Conditions.* If an individual places any conditions on a designation for the veterans trust fund donation, the designation is void.

(f) *Void designation.* If a designation for the veterans trust fund donation is void, the department shall disregard the designation and determine the amounts due, owed, refunded and received without regard to the void designation.

(g) *Tax return.* The secretary of revenue shall provide a place for the designations under this subsection on the individual tax return, and the secretary shall highlight that place on the return by a symbol chosen by the department of veterans affairs that relates to veterans.

000237

(h) *Certification of amounts.* Annually, on or before September 15, the secretary of revenue shall certify to the department of veterans affairs, the department of administration and the state treasurer:

1. The total amount of the administrative costs, including data processing costs, incurred by the department in administering this subsection during the previous fiscal year.
2. The total amount received from all designations for veterans trust fund donations made by taxpayers during the previous fiscal year.
3. The net amount remaining after the administrative costs, including data processing costs, under subd. 1. are subtracted from the total received under subd. 2.
4. From the moneys received from designations for veterans trust fund donations, an amount equal to the sum of administrative expenses, including data processing costs, certified under subd. 1. shall be deposited into the general fund and credited to the appropriation under s. 20.566 (1) (hp), and the net amount that is certified under subd. 3. shall be deposited into the veterans trust fund and used for the veterans programs under s. 25.36 (1).

(i) *Amounts subject to refund.* Amounts designated as veterans trust fund donations under this subsection are not subject to refund to the taxpayer unless the taxpayer submits information to the satisfaction of the department within 18 months after the date on which taxes are due or the date on which the return is filed, whichever is later, that the amount designated is clearly in error. Any refund granted by the department under this paragraph shall be deducted from the moneys received under this subsection in the fiscal year that the refund is certified.

20.566 (1) (hp) is amended to read:

20.566 (1) (hp) *Administration of endangered resources; professional football district; breast cancer research; veterans trust fund* |
voluntary payments. The amounts in the schedule for the payment of all administrative costs, including data processing costs, incurred

in administering ss. 71.10 (5), (5e), ~~and (5f)~~, and (5m) and 71.30 (10). All moneys specified for deposit in this appropriation under ss. 71.10 (5) (h) 5., (5e) (h) 4., ~~and (5f) (i)~~, and (5m) (h) 4. and 71.30 (10) (i) shall be credited to this appropriation.

000239



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0371/

MES...

kjf
RMNR

11/1

DOA:.....Schaeffer, BB0100 - Individual income tax checkoff for veterans trust fund donation

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

PWF-amended

Do Not Gen

- 1 AN ACT ...; relating to: creating an individual income tax checkoff for donations
- 2 to the veterans trust fund.

Analysis by the Legislative Reference Bureau

*TAXATION ← Head
Income taxation ← Sub*

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3

(END)



2005

2003 - 2004 LEGISLATURE

-03711

LRBs0360/1

MES/DAK/PG:cjs:jf

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2003 ASSEMBLY BILL 351**

February 17, 2004 - Offered by JOINT COMMITTEE ON FINANCE.

1 **AN ACT to amend** 20.566 (1) (hp); and **to create** 20.250 (2) (g), 20.285 (1) (gm),
2 71.10 (5f) and 255.055 of the statutes; **relating to:** creating an individual
3 income tax checkoff for a breast cancer research program, creating a breast
4 cancer research program, and making appropriations.

a local professional football district, and a breast cancer research program

Analysis by the Legislative Reference Bureau

Under current law, an individual income tax check-off procedure exists that allows an individual who files a return to designate any amount of additional payment or any amount of a refund due for the endangered resources program. This ~~substitute amendment~~ creates a similar income tax checkoff for designations to the breast cancer research program (program), which is created in the substitute amendment. ~~veteran trust funds~~ *the proceeds of which support various programs that benefit veterans*

Under the ~~substitute amendment~~ *bill*, an individual who has an income tax liability, is due a refund, or is required to file a return may designate any amount of additional payment, or any amount of a refund due, to the ~~program~~ *fund* on his or her income tax return. If an individual's designation exceeds the amount of his or her refund, he or she must include a check with his or her tax return for the difference between the amount of the designation and the amount of the refund. If an individual who makes a contribution has a tax liability or has no tax liability and is due no refund, he or she must include a check for the amount of the designation with his or her tax return.

bill

programs that benefit veterans

^{bill}
 The ~~substitute amendment~~ requires that, of the amount equal to the total amount of designations received, less the total cost of administering the income tax check-off procedure, 50 percent be credited to an appropriation account for the University of Wisconsin System and 50 percent be credited to an appropriation account for the Medical College of Wisconsin, Inc. The University of Wisconsin Comprehensive Cancer Center and the Medical College of Wisconsin, Inc., must use the moneys for breast cancer research projects and must report annually to the legislature and the governor on the projects conducted using the moneys in the previous fiscal year.

FE-5

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 20.250 (2) (g) of the statutes is created to read:

2 20.250 (2) RESEARCH. (g) *Breast cancer research.* As a continuing
 3 appropriation, from moneys received as amounts designated under s. 71.10 (5f) (b),
 4 50 percent of the net amounts certified under s. 71.10 (5f) (h) 3., for breast cancer
 5 research under s. 255.055.

6 SECTION 2. 20.285 (1) (gm) of the statutes is created to read:

7 20.285 (1) (gm) *Breast cancer research.* As a continuing appropriation, from
 8 moneys received as amounts designated under s. 71.10 (5f) (b), 50 percent of the net
 9 amounts certified under s. 71.10 (5f) (h) 3., for breast cancer research conducted by
 10 the University of Wisconsin Comprehensive Cancer Center under s. 255.055.

11 SECTION 3. 20.566 (1) (hp) of the statutes is amended to read:

12 20.566 (1) (hp) *Administration of endangered resources; professional football*
 13 *district; breast cancer research* ^{veterans trust fund} *voluntary payments.* The amounts in the schedule for
 14 the payment of all administrative costs, including data processing costs, incurred in
 15 administering ss. 71.10 (5) ~~(5e) and (5f)~~ ^{no score} ~~and~~ ^{strike} ~~and~~ ^{and (5g)} 71.30 (10). All ~~moneys certified~~
 16 ~~under ss. 71.10 (5) (h) 1. and 71.30 (10) (h) 1. and the moneys specified for deposit~~

and (5g)(h) 4, ✓

strike
↓

1 in this appropriation under ~~ss. 71.10 (5) (h) 5, (5e) (h) 4, and (5f) (i) and 71.30 (10)~~

2 (i) shall be credited to this appropriation. (plain score)

insert →

note: bud

3 SECTION 71.10 (5g) of the statutes is created to read:

(5) → (5g)

VETERANS TRUST FUND DONATIONS

4 71.10 (5g) BREAST CANCER RESEARCH PROGRAM (a) Definitions. In this

5 subsection:

6 1. "Breast cancer research program" means the program under s. 255.055 that
7 provides moneys for breast cancer research and the payment of administrative
8 expenses related to the administration of this subsection.

9 "Department" means the department of revenue.

2. "Veterans trust fund" means the fund under s. 25.36, ✓

10 (b) Voluntary payments. 1. 'Designation on return.' Every individual filing an
11 income tax return who has a tax liability or is entitled to a tax refund may designate
12 on the return any amount of additional payment or any amount of a refund due that
13 individual for the breast cancer research program as a veterans trust fund donation

14 2. 'Designation added to tax owed.' If the individual owes any tax, the
15 individual shall remit in full the tax due and the amount designated on the return
16 for the breast cancer research program when the individual files a tax return.

17 3. 'Designation deducted from refund.' Except as provided in par. (d), if the
18 individual is owed a refund for that year after crediting under ss. 71.75 (9) and 71.80
19 (3), the department of revenue shall deduct the amount designated on the return for
20 the breast cancer research program from the amount of the refund.

21 (c) Errors; failure to remit correct amount. If an individual who owes taxes fails
22 to remit an amount equal to or in excess of the total of the actual tax due, after error
23 corrections, and the amount designated on the return for the breast cancer research
24 program

↑

veterans trust fund

1 1. The department shall reduce the designation for the ~~breast cancer research~~
 2 ~~program~~ to reflect the amount remitted in excess of the actual tax due, after error
 3 corrections, if the individual remitted an amount in excess of the actual tax due, after
 4 error corrections, but less than the total of the actual tax due, after error corrections,
 5 and the amount originally designated on the return ~~for the breast cancer research~~
 6 ~~program~~ ^{as a veterans trust fund donation}

7 2. The designation for the ~~breast cancer research program~~ is void if the
 8 individual remitted an amount equal to or less than the actual tax due, after error
 9 corrections.

10 (d) *Errors; insufficient refund.* If an individual is owed a refund which does not
 11 equal or exceed the amount designated on the return ~~for the breast cancer research~~
 12 ~~program~~ after crediting under ss. 71.75 (9) and 71.80 (3) and after error corrections,
 13 the department shall reduce the designation for the breast cancer research program
 14 to reflect the actual amount of the refund that the individual is otherwise owed, after
 15 crediting under ss. 71.75 (9) and 71.80 (3) and after error corrections.

16 (e) *Conditions.* If an individual places any conditions on a designation for the
 17 ~~breast cancer research program~~, the designation is void.

18 (f) *Void designation.* If a designation for the ~~breast cancer research program~~
 19 is void, the department shall disregard the designation and determine amounts due,
 20 owed, refunded, and received without regard to the void designation.

21 (g) *Tax return.* The secretary of revenue shall provide a place for the
 22 designations under this subsection on the individual income tax return.

23 (h) *Certification of amounts.* Annually, on or before September 15, the
 24 secretary of revenue shall certify to the ^{Department of veterans affairs,} ~~Board of Regents of the University of~~

1 ~~Wisconsin System, the Medical College of Wisconsin, Inc,~~ the department of
2 administration, and the state treasurer:

3 1. The total amount of the administrative costs, including data processing
4 costs, incurred by the department in administering this subsection during the
5 previous fiscal year.

veterans trust fund donations

6 2. The total amount received from all designations for ~~the breast cancer~~
7 ~~research program~~ made by taxpayers during the previous fiscal year.

8 3. The net amount remaining after the administrative costs, including data
9 processing costs, under subd. 1. are subtracted from the total received under subd.
10 2.

11 (i) ~~Appropriations.~~ From the moneys received from designations for the breast
12 cancer research program, an amount equal to the sum of administrative expenses,
13 including data processing costs, certified under par. (h) 1. shall be deposited in the
14 general fund and credited to the appropriation account under s. 20.566 (1) (hp), and,
15 of the net amount remaining that is certified under par. (h) 3., an amount equal to
16 50 percent shall be credited to the appropriation account under s. 20.250 (2) (g) and
17 an amount equal to 50 percent shall be credited to the appropriation account under
18 s. 20.285 (1) (gm).

*FNS
5-18*

19 (i) ~~Amounts subject to refund.~~ Amounts designated ^{as a} ~~for the breast cancer~~
20 ~~research program~~ under this subsection are not subject to refund to the taxpayer
21 unless the taxpayer submits information to the satisfaction of the department,
22 within 18 months after the date on which the taxes are due or the date on which the
23 return is filed, whichever is later, that the amount designated is clearly in error. Any
24 refund granted by the department under this paragraph shall be deducted from the

1 moneys received under this subsection in the fiscal year for which the refund is
2 certified.

3 **SECTION 5.** 255.055 of the statutes is created to read:

4 **255.055 Breast cancer research program.** (1) The Medical College of
5 Wisconsin, Inc., and the University of Wisconsin Comprehensive Cancer Center
6 shall use the moneys appropriated under ss. 20.250 (2) (g) and 20.285 (1) (gm) for
7 breast cancer research projects. These moneys may not be used to supplant funds
8 available for breast cancer research from other sources.

9 (2) Annually by January 1, the Medical College of Wisconsin, Inc., and the
10 Board of Regents of the University of Wisconsin System shall each report to the
11 appropriate standing committees of the legislature under s. 13.172 (3) and to the
12 governor on the breast cancer research projects each has conducted under sub. (1)
13 in the previous fiscal year.

14 **SECTION 6. Initial applicability**

15 (1) The treatment of section 71.10 ~~(59)~~ of the statutes first applies to taxable
16 years beginning on January 1 of the year in which this subsection takes effect, except
17 that if this subsection takes effect after July 31 the treatment of section 71.10 ~~(59)~~
18 of the statutes first applies to taxable years beginning on January 1 of the year
19 following the year in which this subsection takes effect.

20 (END)

change component
9341

revenue
(59)

CS = Veterans trust fund
= check off.

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0371?ins
MES.....

FNS 5-18

trust

X

4. From the moneys received from designations for veterans fund donations, an amount equal to the sum of administrative expenses, including data processing costs, certified under subd. 1. shall be deposited into the general fund and credited to the appropriation under s. 20.566 (1) (hp), and the net amount remaining that is certified under subd. 3. shall be deposited into the veterans trust fund and used for veterans programs under s. 25.36 (1).



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0371/12

MES:kjf:gs

11/1

Handwritten initials and signatures, including 'RME' in a circle.

DOA:.....Schaeffer, BB0100 - Individual income tax checkoff for veterans trust fund donation

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

Ed:
Seep. 3

Do Not Gen

- 1 AN ACT ...; relating to: creating an individual income tax checkoff for donations
- 2 to the veterans trust fund.

Analysis by the Legislative Reference Bureau

TAXATION

INCOME TAXATION

Under current law, an individual income tax check-off procedure exists that allows an individual who files a return to designate any amount of additional payment or any amount of a refund due for the endangered resources program, a local professional football district, and a breast cancer research program. This bill creates a similar income tax checkoff for designations to the veterans trust fund (fund), the proceeds of which support various programs that benefit veterans.

Under the bill, an individual who has an income tax liability, is due a refund, or is required to file a return may designate any amount of additional payment, or any amount of a refund due, to the fund on his or her income tax return. If an individual's designation exceeds the amount of his or her refund, he or she must include a check with his or her tax return for the difference between the amount of the designation and the amount of the refund. If an individual who makes a contribution has a tax liability or has no tax liability and is due no refund, he or she must include a check for the amount of the designation with his or her tax return.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.566 (1) (hp) of the statutes is amended to read:

2 20.566 (1) (hp) *Administration of endangered resources; professional football*
3 *district; breast cancer research; veterans trust fund voluntary payments.* The
4 amounts in the schedule for the payment of all administrative costs, including data
5 processing costs, incurred in administering ss. 71.10 (5), (5e), and (5f), and (5g) and
6 71.30 (10). All moneys specified for deposit in this appropriation under ss. 71.10 (5)
7 (h) 5., (5e) (h) 4., and (5f) (i) and (5g) (h) 4. and 71.30 (10) (i) shall be credited to this
8 appropriation.

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

9 **SECTION 2.** 71.10 (5g) of the statutes is created to read:

10 71.10 (5g) VETERANS TRUST FUND DONATIONS. (a) *Definitions.* In this subsection:

11 1. "Department" means the department of revenue.

12 2. "Veterans trust fund" means the fund under s. 25.36.

13 (b) *Voluntary payments.* 1. 'Designation on return.' Every individual filing an
14 income tax return who has a tax liability or is entitled to a tax refund may designate
15 on the return any amount of additional payment or any amount of a refund due that
16 individual as a veterans trust fund donation.

17 2. 'Designation added to tax owed.' If the individual owes any tax, the
18 individual shall remit in full the tax due and the amount designated on the return
19 as a veterans trust fund donation when the individual files a tax return.

1 3. 'Designation deducted from refund.' Except as provided in par. (d), if the
2 individual is owed a refund for that year after crediting under ss. 71.75 (9) and 71.80
3 (3), the department of revenue shall deduct the amount designated on the return as
4 a veterans trust fund donation from the amount of the refund.

5 (c) *Errors; failure to remit correct amount.* If an individual who owes taxes fails
6 to remit an amount equal to or in excess of the total of the actual tax due, after error
7 corrections, and the amount designated on the return as a veterans trust fund
8 donation:

9 1. The department shall reduce the designation for the veterans trust fund to
10 reflect the amount remitted in excess of the actual tax due, after error corrections,
11 if the individual remitted an amount in excess of the actual tax due, after error
12 corrections, but less than the total of the actual tax due, after error corrections, and
13 the amount originally designated on the return as a veterans trust fund donation.

14 2. The designation for the veterans trust fund donation is void if the individual
15 remitted an amount equal to or less than the actual tax due, after error corrections.

16 (d) *Errors; insufficient refund.* If an individual is owed a refund which does not
17 equal or exceed the amount designated on the return as a veterans trust fund
18 donation, after crediting under ss. 71.75 (9) and 71.80 (3) and after error corrections,
19 the department shall reduce the designation for the ^{stays} ~~breast cancer research program~~
20 to reflect the actual amount of the refund that the individual is otherwise owed, after
21 crediting under ss. 71.75 (9) and 71.80 (3) and after error corrections.

22 (e) *Conditions.* If an individual places any conditions on a designation for the
23 veterans trust fund donation, the designation is void.

veterans trust
fund donation

1 (f) *Void designation.* If a designation for the veterans trust fund donation is
2 void, the department shall disregard the designation and determine amounts due,
3 owed, refunded, and received without regard to the void designation.

4 (g) *Tax return.* The secretary of revenue shall provide a place for the
5 designations under this subsection on the individual income tax return.

6 (h) *Certification of amounts.* Annually, on or before September 15, the
7 secretary of revenue shall certify to the department of veterans affairs, the
8 department of administration, and the state treasurer:

9 1. The total amount of the administrative costs, including data processing
10 costs, incurred by the department in administering this subsection during the
11 previous fiscal year.

12 2. The total amount received from all designations for veterans trust fund
13 donations made by taxpayers during the previous fiscal year.

14 3. The net amount remaining after the administrative costs, including data
15 processing costs, under subd. 1. are subtracted from the total received under subd.

16 2.

17 4. From the moneys received from designations for veterans trust fund
18 donations, an amount equal to the sum of administrative expenses, including data
19 processing costs, certified under subd. 1. shall be deposited into the general fund and
20 credited to the appropriation under s. 20.566 (1) (hp), and the net amount remaining
21 that is certified under subd. 3. shall be deposited into the veterans trust fund and
22 used for veterans programs under s. 25.36 (1).

23 (i) *Amounts subject to refund.* Amounts designated as veterans trust fund
24 donations under this subsection are not subject to refund to the taxpayer unless the
25 taxpayer submits information to the satisfaction of the department, within 18

1 months after the date on which the taxes are due or the date on which the return is
2 filed, whichever is later, that the amount designated is clearly in error. Any refund
3 granted by the department under this paragraph shall be deducted from the moneys
4 received under this subsection in the fiscal year for which the refund is certified.

5 **SECTION 9341. Initial applicability; revenue.**

6 (1) VETERANS TRUST FUND CHECKOFF. The treatment of section 71.10 (5g) of the
7 statutes first applies to taxable years beginning on January 1 of the year in which
8 this subsection takes effect, except that if this subsection takes effect after July 31
9 the treatment of section 71.10 (5g) of the statutes first applies to taxable years
10 beginning on January 1 of the year following the year in which this subsection takes
11 effect.

12 (END)



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0371/2

MES:kjf:pt

119

3
RMA

DOA:.....Schaeffer, BB0100 - Individual income tax checkoff for veterans trust fund donation

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

D-NOTE

do not gen

1 AN ACT ...; relating to: creating an individual income tax checkoff for donations
2 to the veterans trust fund.

Analysis by the Legislative Reference Bureau

TAXATION

INCOME TAXATION

Under current law, an individual income tax check-off procedure exists that allows an individual who files a return to designate any amount of additional payment or any amount of a refund due for the endangered resources program, a local professional football district, and a breast cancer research program. This bill creates a similar income tax checkoff for designations to the veterans trust fund (fund), the proceeds of which support various programs that benefit veterans.

Under the bill, an individual who has an income tax liability, is due a refund, or is required to file a return may designate any amount of additional payment, or any amount of a refund due, to the fund on his or her income tax return. If an individual's designation exceeds the amount of his or her refund, he or she must include a check with his or her tax return for the difference between the amount of the designation and the amount of the refund. If an individual who makes a contribution has a tax liability or has no tax liability and is due no refund, he or she must include a check for the amount of the designation with his or her tax return.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.566 (1) (hp) of the statutes is amended to read:

2 20.566 (1) (hp) *Administration of endangered resources; professional football*
3 *district; breast cancer research; veterans trust fund voluntary payments.* The
4 amounts in the schedule for the payment of all administrative costs, including data
5 processing costs, incurred in administering ss. 71.10 (5), (5e), and (5f), and (5g) and
6 71.30 (10). All moneys specified for deposit in this appropriation under ss. 71.10 (5)
7 (h) 5., (5e) (h) 4., and (5f) (i) and (5g) (h) 4. and 71.30 (10) (i) shall be credited to this
8 appropriation.

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

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14 income tax return who has a tax liability or is entitled to a tax refund may designate
15 on the return any amount of additional payment or any amount of a refund due that
16 individual as a veterans trust fund donation.

17 2. 'Designation added to tax owed.' If the individual owes any tax, the
18 individual shall remit in full the tax due and the amount designated on the return
19 as a veterans trust fund donation when the individual files a tax return.

1 3. 'Designation deducted from refund.' Except as provided in par. (d), if the
2 individual is owed a refund for that year after crediting under ss. 71.75 (9) and 71.80
3 (3) ^{and (3m)} the department of revenue shall deduct the amount designated on the return as
4 a veterans trust fund donation from the amount of the refund.

5 (c) *Errors; failure to remit correct amount.* If an individual who owes taxes fails
6 to remit an amount equal to or in excess of the total of the actual tax due, after error
7 corrections, and the amount designated on the return as a veterans trust fund
8 donation:

9 1. The department shall reduce the designation for the veterans trust fund to
10 reflect the amount remitted in excess of the actual tax due, after error corrections,
11 if the individual remitted an amount in excess of the actual tax due, after error
12 corrections, but less than the total of the actual tax due, after error corrections, and
13 the amount originally designated on the return as a veterans trust fund donation.

14 2. The designation for the veterans trust fund donation is void if the individual
15 remitted an amount equal to or less than the actual tax due, after error corrections.

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17 equal or exceed the amount designated on the return as a veterans trust fund
18 donation, after crediting under ss. 71.75 (9) and 71.80 (3) ^{and (3m)} and after error corrections,
19 the department shall reduce the designation for the veterans trust fund donation to
20 reflect the actual amount of the refund that the individual is otherwise owed, after
21 crediting under ss. 71.75 (9) and 71.80 (3) ^{and (3m)} and after error corrections.

22 (e) *Conditions.* If an individual places any conditions on a designation for the
23 veterans trust fund donation, the designation is void.

1 (f) *Void designation.* If a designation for the veterans trust fund donation is
2 void, the department shall disregard the designation and determine amounts due,
3 owed, refunded, and received without regard to the void designation.

4 (g) *Tax return.* The secretary of revenue shall provide a place for the
5 designations under this subsection on the individual income tax return.

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7 secretary of revenue shall certify to the department of veterans affairs, the
8 department of administration, and the state treasurer:

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10 costs, incurred by the department in administering this subsection during the
11 previous fiscal year.

12 2. The total amount received from all designations for veterans trust fund
13 donations made by taxpayers during the previous fiscal year.

14 3. The net amount remaining after the administrative costs, including data
15 processing costs, under subd. 1. are subtracted from the total received under subd.

16 2.

17 4. From the moneys received from designations for veterans trust fund
18 donations, an amount equal to the sum of administrative expenses, including data
19 processing costs, certified under subd. 1. shall be deposited into the general fund and
20 credited to the appropriation under s. 20.566 (1) (hp), and the net amount remaining
21 that is certified under subd. 3. shall be deposited into the veterans trust fund and
22 used for veterans programs under s. 25.36 (1).

23 (i) *Amounts subject to refund.* Amounts designated as veterans trust fund
24 donations under this subsection are not subject to refund to the taxpayer unless the
25 taxpayer submits information to the satisfaction of the department, within 18

1 months after the date on which the taxes are due or the date on which the return is
2 filed, whichever is later, that the amount designated is clearly in error. Any refund
3 granted by the department under this paragraph shall be deducted from the moneys
4 received under this subsection in the fiscal year for which the refund is certified.

5 **SECTION 9341. Initial applicability; revenue.**

6 (1) VETERANS TRUST FUND CHECKOFF. The treatment of section 71.10 (5g) of the
7 statutes first applies to taxable years beginning on January 1 of the year in which
8 this subsection takes effect, except that if this subsection takes effect after July 31
9 the treatment of section 71.10 (5g) of the statutes first applies to taxable years
10 beginning on January 1 of the year following the year in which this subsection takes
11 effect.

12 (END)

MES:ky

D-NOTE

Date

*This version of the bill adds 3
cross-references to s. 71.80 (3m) in ~~bill~~
~~notes~~ ^{created} s. 71.10 (5g) (b) 3,
and (d).*

MES

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0371/3dn
MES:kjf:rs

January 4, 2005

This version of the bill adds 3 cross-references to s. 71.80 (3m) in created s. 71.10 (5g) (b) 3. and (d).

Marc E. Shovers
Senior Legislative Attorney
Phone: (608) 266-0129
E-mail: marc.shovers@legis.state.wi.us

Shovers, Marc

From: Caucutt, Dan
Sent: Tuesday, January 11, 2005 2:15 PM
To: Shovers, Marc; Kuesel, Jeffery
Subject: LRB Drafts: 05-0341/1 & LRB0371/1



05-0341/1



05-0341/1dn



05-03711.pdf



2005leg-veterans
trust fund.do...



vets checkoff.doc

I am passing along some feedback from DOR to the two subject budget drafts. Could you take their comments under advisement and amend as appropriate? Both drafts are "in" at this time.

-----Original Message-----

From: Lashore, Patricia M
Sent: Tuesday, January 11, 2005 12:48 PM
To: Caucutt, Dan
Cc: Kraus, Jennifer - DOA; Gates-Hendrix, Sherrie; Collier, Dennis J; Brennan, Audra D; Hardt, Diane L
Subject: LRB Drafts: 05-0341/1 & LRB0371/1 - Comments from DOR

Attached are two documents which provide comments on the attached LRB drafts. One is from the program division (Income, Sales & Excise Taxes) and the other is from the Research & Policy Division.

-----Original Message-----

From: Caucutt, Dan
Sent: Sunday, January 09, 2005 12:27 PM
To: Lashore, Patricia M
Cc: Kraus, Jennifer - DOA
Subject: FW: LRB Draft: 05-0341/1 Designated veterans trust fund donation on corporate tax return

Hi pat

This was part of Vets Affairs budget request. It seems like a relatively minor item but I would like you to give it a quick looksee. Sorry for the late sending but I just thought you'd be interested. Let me know by Tuesday if DOR has any killer concerns.

-----Original Message-----

From: Schlueter, Ron [mailto:Ron.Schlueter@legis.state.wi.us]
Sent: Monday, October 04, 2004 11:20 AM
To: Schaeffer, Carole
Cc: Caucutt, Dan; Hanaman, Cathlene; Haugen, Caroline; Schaeffer, Carole
Subject: LRB Draft: 05-0341/1 Designated veterans trust fund donation on corporate tax return

Following is the PDF version of draft 05-0341/1.

Comments from R&P on LRB 05-0371/1 and LRB 05-0341/1
January 10, 2005



With one exception, the language of LRB 05-0371/1 follows the format of the language in sec. 71.10 (5f), which provides an individual income tax check-off for breast cancer research. The exception is this: language relating to appropriations in this draft appears in proposed sec. 71.05 (5g) (h)4. This appropriations language in sec. 71.10 (5f) for the breast cancer check-off appears in a separate paragraph, 71.10 (5g)(i). It appears that should be the case for this check-off as well, which means that:

- sec. 71.10 (5g)(h)4 in the draft should be numbered sec. 71.10 (5g)(i), and
- sec. 71.10 (5g)(i) in the draft should be numbered sec. 71.10 (5g)(j).

On LRB 05-0341/1, we suggest that "veterans' trust fund" be included in the title of sec. 20.566 (1)(hp).

I defer to ISE on other technical comments.

The State Budget Office and the Department of Veterans Affairs should be made aware that income tax check-offs may not generate a lot of money for the veterans trust fund, but will complicate the filing and processing of tax returns for taxpayers and the Department of Revenue. This is especially of check-offs on the corporate return. There is only one, for endangered resources, and it generated less than \$12,000 last year.

Currently, there are four check-offs on the individual income tax return. One, a check-off for breast cancer research, is new this year, so we do not know how much taxpayers will contribute through it. A football stadium check-off was added in 2001 for the Lambeau Field project; it generated about \$226,000 in 2001, \$172,000 in 2002 and \$142,000 in 2003. The endangered resources check-off has been around for many years and is the most successful, generating between \$550,000 and \$675,000 in recent years.

The election campaign fund check-off is different from these others because a tax filer and spouse can each choose to designate only \$1 each for the fund; with the other three, tax filers can contribute any amount they desire. The election campaign fund check-off generated about \$300,000 a year until 2002. A higher check-off of \$5 with designation to a particular party was permitted that year, but that particular designation was found unconstitutional, so any check-offs indicated were limited to the prior law amount of \$1 per tax filer or spouse. Donations dropped to less than \$200,000 in 2002 and recovered to \$240,000 in 2003.

The Department of Revenue is concerned about the proliferation of check-offs on the tax return because each requires an additional line and additional instructions. Also, experience from other states suggests that new check-offs reduce contributions to existing check-off programs – some taxpayers reduce their support of the current programs in favor of a new one.

One way to deal with proliferation of check-offs is to provide sunset language. Then, if a check-off is successful in generating revenues for a particular fund, the legislature can extend its life. If not, it can be allowed to expire.



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0371/3

MES:kjf2s

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RMR

DOA:.....Caucutt, BB0100 - Individual income tax checkoff for veterans trust fund donation

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

Do Not Gen

- 1 AN ACT ...; relating to: creating an individual income tax checkoff for donations
- 2 to the veterans trust fund.

Analysis by the Legislative Reference Bureau

TAXATION

INCOME TAXATION

Under current law, an individual income tax check-off procedure exists that allows an individual who files a return to designate any amount of additional payment or any amount of a refund due for the endangered resources program, a local professional football district, and a breast cancer research program. This bill creates a similar income tax checkoff for designations to the veterans trust fund (fund), the proceeds of which support various programs that benefit veterans.

Under the bill, an individual who has an income tax liability, is due a refund, or is required to file a return may designate any amount of additional payment, or any amount of a refund due, to the fund on his or her income tax return. If an individual's designation exceeds the amount of his or her refund, he or she must include a check with his or her tax return for the difference between the amount of the designation and the amount of the refund. If an individual who makes a contribution has a tax liability or has no tax liability and is due no refund, he or she must include a check for the amount of the designation with his or her tax return.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.566 (1) (hp) of the statutes is amended to read:

2 20.566 (1) (hp) *Administration of endangered resources; professional football*
3 *district; breast cancer research; veterans trust fund voluntary payments.* The
4 amounts in the schedule for the payment of all administrative costs, including data
5 processing costs, incurred in administering ss. 71.10 (5), (5e), ~~and (5f), and (5g)~~ and
6 71.30 (10). All moneys specified for deposit in this appropriation under ss. 71.10 (5)
7 (h) 5., (5e) (h) 4., ~~and (5f) (i) and (5g) (h) 4.~~ and 71.30 (10) (i) shall be credited to this
8 appropriation.

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

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11 1. "Department" means the department of revenue.

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13 (b) *Voluntary payments.* 1. 'Designation on return.' Every individual filing an
14 income tax return who has a tax liability or is entitled to a tax refund may designate
15 on the return any amount of additional payment or any amount of a refund due that
16 individual as a veterans trust fund donation.

17 2. 'Designation added to tax owed.' If the individual owes any tax, the
18 individual shall remit in full the tax due and the amount designated on the return
19 as a veterans trust fund donation when the individual files a tax return.

1 3. 'Designation deducted from refund.' Except as provided in par. (d), if the
2 individual is owed a refund for that year after crediting under ss. 71.75 (9) and 71.80
3 (3) and (3m), the department of revenue shall deduct the amount designated on the
4 return as a veterans trust fund donation from the amount of the refund.

5 (c) *Errors; failure to remit correct amount.* If an individual who owes taxes fails
6 to remit an amount equal to or in excess of the total of the actual tax due, after error
7 corrections, and the amount designated on the return as a veterans trust fund
8 donation:

9 1. The department shall reduce the designation for the veterans trust fund to
10 reflect the amount remitted in excess of the actual tax due, after error corrections,
11 if the individual remitted an amount in excess of the actual tax due, after error
12 corrections, but less than the total of the actual tax due, after error corrections, and
13 the amount originally designated on the return as a veterans trust fund donation.

14 2. The designation for the veterans trust fund donation is void if the individual
15 remitted an amount equal to or less than the actual tax due, after error corrections.

16 (d) *Errors; insufficient refund.* If an individual is owed a refund which does not
17 equal or exceed the amount designated on the return as a veterans trust fund
18 donation, after crediting under ss. 71.75 (9) and 71.80 (3) and (3m) and after error
19 corrections, the department shall reduce the designation for the veterans trust fund
20 donation to reflect the actual amount of the refund that the individual is otherwise
21 owed, after crediting under ss. 71.75 (9) and 71.80 (3) and (3m) and after error
22 corrections.

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24 veterans trust fund donation, the designation is void.

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 2 void, the department shall disregard the designation and determine amounts due,
 3 owed, refunded, and received without regard to the void designation.

4 (g) *Tax return.* The secretary of revenue shall provide a place for the
 5 designations under this subsection on the individual income tax return.

6 (h) *Certification of amounts.* Annually, on or before September 15, the
 7 secretary of revenue shall certify to the department of veterans affairs, the
 8 department of administration, and the state treasurer:

9 1. The total amount of the administrative costs, including data processing
 10 costs, incurred by the department in administering this subsection during the
 11 previous fiscal year.

12 2. The total amount received from all designations for veterans trust fund
 13 donations made by taxpayers during the previous fiscal year.

14 3. The net amount remaining after the administrative costs, including data
 15 processing costs, under subd. 1. are subtracted from the total received under subd.

16 2.

17 (i) Appropriations. ^{← (I)}
 18 From the moneys received from designations for veterans trust fund
 19 donations, an amount equal to the sum of administrative expenses, including data
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 21 credited to the appropriation ^{account} under s. 20.566 (1) (hp), and the net amount remaining
 22 that is certified under ^{par. (h)} ~~subd. 3.~~ shall be deposited into the veterans trust fund and
 23 used for veterans programs under s. 25.36 (1).

24 (j) ~~(j)~~ *Amounts subject to refund.* Amounts designated as veterans trust fund
 25 donations under this subsection are not subject to refund to the taxpayer unless the
 taxpayer submits information to the satisfaction of the department, within 18

1 months after the date on which the taxes are due or the date on which the return is
2 filed, whichever is later, that the amount designated is clearly in error. Any refund
3 granted by the department under this paragraph shall be deducted from the moneys
4 received under this subsection in the fiscal year for which the refund is certified.

5 **SECTION 9341. Initial applicability; revenue.**

6 (1) VETERANS TRUST FUND CHECKOFF. The treatment of section 71.10 (5g) of the
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8 this subsection takes effect, except that if this subsection takes effect after July 31
9 the treatment of section 71.10 (5g) of the statutes first applies to taxable years
10 beginning on January 1 of the year following the year in which this subsection takes
11 effect.

12 (END)



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0371/4

MES:kjf:pg

+WLj

DOA:.....Caucutt, BB0100 - Individual income tax checkoff for veterans trust fund donation

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

in 1-26-05

P-N

Today please

Do Not Gen

- 1 AN ACT ...; relating to: creating an individual income tax checkoff for donations
- 2 to the veterans trust fund.

Analysis by the Legislative Reference Bureau

TAXATION

INCOME TAXATION

Under current law, an individual income tax check-off procedure exists that allows an individual who files a return to designate any amount of additional payment or any amount of a refund due for the endangered resources program, a local professional football district, and a breast cancer research program. This bill creates a similar income tax checkoff for designations to the veterans trust fund (fund), the proceeds of which support various programs that benefit veterans.

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For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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6 71.30 (10). All moneys specified for deposit in this appropriation under ss. 71.10 (5)
7 (h) 5., (5e) (h) 4., and (5f) (i) and (5g) (h) 4. and 71.30 (10) (i) shall be credited to this
8 appropriation. and (11)(i)

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18 individual shall remit in full the tax due and the amount designated on the return
19 as a veterans trust fund donation when the individual files a tax return.

NOTE: Reconciliation

+++ This is reconciled s. 20.566(1)(hp) this section has been affected by drafts with the following LRB numbers 0317/4 and 0341/2

1 3. ‘Designation deducted from refund.’ Except as provided in par. (d), if the
2 individual is owed a refund for that year after crediting under ss. 71.75 (9) and 71.80
3 (3) and (3m), the department of revenue shall deduct the amount designated on the
4 return as a veterans trust fund donation from the amount of the refund.

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19 corrections, the department shall reduce the designation for the veterans trust fund
20 donation to reflect the actual amount of the refund that the individual is otherwise
21 owed, after crediting under ss. 71.75 (9) and 71.80 (3) and (3m) and after error
22 corrections.

23 (e) *Conditions.* If an individual places any conditions on a designation for the
24 veterans trust fund donation, the designation is void.

1 (f) *Void designation.* If a designation for the veterans trust fund donation is
2 void, the department shall disregard the designation and determine amounts due,
3 owed, refunded, and received without regard to the void designation.

4 (g) *Tax return.* The secretary of revenue shall provide a place for the
5 designations under this subsection on the individual income tax return.

6 (h) *Certification of amounts.* Annually, on or before September 15, the
7 secretary of revenue shall certify to the department of veterans affairs, the
8 department of administration, and the state treasurer:

9 1. The total amount of the administrative costs, including data processing
10 costs, incurred by the department in administering this subsection during the
11 previous fiscal year.

12 2. The total amount received from all designations for veterans trust fund
13 donations made by taxpayers during the previous fiscal year.

14 3. The net amount remaining after the administrative costs, including data
15 processing costs, under subd. 1. are subtracted from the total received under subd.

16 2.

17 (i) *Appropriations.* From the moneys received from designations for veterans
18 trust fund donations, an amount equal to the sum of administrative expenses,
19 including data processing costs, certified under par. (h) 1. shall be deposited into the
20 general fund and credited to the appropriation account under s. 20.566 (1) (hp), and
21 the net amount remaining that is certified under par. (h) 3. shall be deposited into
22 the veterans trust fund and used for veterans programs under s. 25.36 (1).

23 (j) *Amounts subject to refund.* Amounts designated as veterans trust fund
24 donations under this subsection are not subject to refund to the taxpayer unless the
25 taxpayer submits information to the satisfaction of the department, within 18

1 months after the date on which the taxes are due or the date on which the return is
2 filed, whichever is later, that the amount designated is clearly in error. Any refund
3 granted by the department under this paragraph shall be deducted from the moneys
4 received under this subsection in the fiscal year for which the refund is certified.

5 **SECTION 9341. Initial applicability; revenue.**

6 (1) VETERANS TRUST FUND CHECKOFF. The treatment of section 71.10 (5g) of the
7 statutes first applies to taxable years beginning on January 1 of the year in which
8 this subsection takes effect, except that if this subsection takes effect after July 31
9 the treatment of section 71.10 (5g) of the statutes first applies to taxable years
10 beginning on January 1 of the year following the year in which this subsection takes
11 effect.

12 (END)

0371/5
MES & JK

This draft reconciles LRB-0371/4 and LRB-0341/2 [↓] ⊙

Both drafts should continue to appear in the compiled

bill ⊙

JK

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0371/5dn
MES&JK:wlj:jf

January 26, 2005

This draft reconciles LRB-0371/4 and LRB-0341/2. Both drafts should continue to appear in the compiled bill.

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State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0371/5
MES:kjf&wlj:jf

DOA:.....Caucutt, BB0100 – Individual income tax checkoff for veterans trust fund donation

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** creating an individual income tax checkoff for donations
2 to the veterans trust fund.

Analysis by the Legislative Reference Bureau

TAXATION

INCOME TAXATION

Under current law, an individual income tax check-off procedure exists that allows an individual who files a return to designate any amount of additional payment or any amount of a refund due for the endangered resources program, a local professional football district, and a breast cancer research program. This bill creates a similar income tax checkoff for designations to the veterans trust fund (fund), the proceeds of which support various programs that benefit veterans.

Under the bill, an individual who has an income tax liability, is due a refund, or is required to file a return may designate any amount of additional payment, or any amount of a refund due, to the fund on his or her income tax return. If an individual's designation exceeds the amount of his or her refund, he or she must include a check with his or her tax return for the difference between the amount of the designation and the amount of the refund. If an individual who makes a contribution has a tax liability or has no tax liability and is due no refund, he or she must include a check for the amount of the designation with his or her tax return.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.566 (1) (hp) of the statutes is amended to read:

2 20.566 (1) (hp) *Administration of endangered resources; professional football*
3 *district; breast cancer research; veterans trust fund voluntary payments.* The
4 amounts in the schedule for the payment of all administrative costs, including data
5 processing costs, incurred in administering ss. 71.10 (5), (5e), and (5f), and (5g) and
6 71.30 (10). All moneys specified for deposit in this appropriation under ss. 71.10 (5)
7 (h) 5., (5e) (h) 4., and (5f) (i) and (5g) (h) 4. and 71.30 (10) (i) and (11) (i) shall be
8 credited to this appropriation.

 ***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

 ***NOTE: This is reconciled s. 20.566 (1) (hp). This SECTION has been affected by drafts with the following LRB numbers: 0317/4 and 0341/2.

9 **SECTION 2.** 71.10 (5g) of the statutes is created to read:

10 71.10 (5g) VETERANS TRUST FUND DONATIONS. (a) *Definitions.* In this subsection:

- 11 1. "Department" means the department of revenue.
12 2. "Veterans trust fund" means the fund under s. 25.36.

13 (b) *Voluntary payments.* 1. 'Designation on return.' Every individual filing an
14 income tax return who has a tax liability or is entitled to a tax refund may designate
15 on the return any amount of additional payment or any amount of a refund due that
16 individual as a veterans trust fund donation.

17 2. 'Designation added to tax owed.' If the individual owes any tax, the
18 individual shall remit in full the tax due and the amount designated on the return
19 as a veterans trust fund donation when the individual files a tax return.

1 3. 'Designation deducted from refund.' Except as provided in par. (d), if the
2 individual is owed a refund for that year after crediting under ss. 71.75 (9) and 71.80
3 (3) and (3m), the department of revenue shall deduct the amount designated on the
4 return as a veterans trust fund donation from the amount of the refund.

5 (c) *Errors; failure to remit correct amount.* If an individual who owes taxes fails
6 to remit an amount equal to or in excess of the total of the actual tax due, after error
7 corrections, and the amount designated on the return as a veterans trust fund
8 donation:

9 1. The department shall reduce the designation for the veterans trust fund to
10 reflect the amount remitted in excess of the actual tax due, after error corrections,
11 if the individual remitted an amount in excess of the actual tax due, after error
12 corrections, but less than the total of the actual tax due, after error corrections, and
13 the amount originally designated on the return as a veterans trust fund donation.

14 2. The designation for the veterans trust fund donation is void if the individual
15 remitted an amount equal to or less than the actual tax due, after error corrections.

16 (d) *Errors; insufficient refund.* If an individual is owed a refund which does not
17 equal or exceed the amount designated on the return as a veterans trust fund
18 donation, after crediting under ss. 71.75 (9) and 71.80 (3) and (3m) and after error
19 corrections, the department shall reduce the designation for the veterans trust fund
20 donation to reflect the actual amount of the refund that the individual is otherwise
21 owed, after crediting under ss. 71.75 (9) and 71.80 (3) and (3m) and after error
22 corrections.

23 (e) *Conditions.* If an individual places any conditions on a designation for the
24 veterans trust fund donation, the designation is void.

1 (f) *Void designation.* If a designation for the veterans trust fund donation is
2 void, the department shall disregard the designation and determine amounts due,
3 owed, refunded, and received without regard to the void designation.

4 (g) *Tax return.* The secretary of revenue shall provide a place for the
5 designations under this subsection on the individual income tax return.

6 (h) *Certification of amounts.* Annually, on or before September 15, the
7 secretary of revenue shall certify to the department of veterans affairs, the
8 department of administration, and the state treasurer:

9 1. The total amount of the administrative costs, including data processing
10 costs, incurred by the department in administering this subsection during the
11 previous fiscal year.

12 2. The total amount received from all designations for veterans trust fund
13 donations made by taxpayers during the previous fiscal year.

14 3. The net amount remaining after the administrative costs, including data
15 processing costs, under subd. 1. are subtracted from the total received under subd.

16 2.

17 (i) *Appropriations.* From the moneys received from designations for veterans
18 trust fund donations, an amount equal to the sum of administrative expenses,
19 including data processing costs, certified under par. (h) 1. shall be deposited into the
20 general fund and credited to the appropriation account under s. 20.566 (1) (hp), and
21 the net amount remaining that is certified under par. (h) 3. shall be deposited into
22 the veterans trust fund and used for veterans programs under s. 25.36 (1).

23 (j) *Amounts subject to refund.* Amounts designated as veterans trust fund
24 donations under this subsection are not subject to refund to the taxpayer unless the
25 taxpayer submits information to the satisfaction of the department, within 18

1 months after the date on which the taxes are due or the date on which the return is
2 filed, whichever is later, that the amount designated is clearly in error. Any refund
3 granted by the department under this paragraph shall be deducted from the moneys
4 received under this subsection in the fiscal year for which the refund is certified.

5 **SECTION 9341. Initial applicability; revenue.**

6 (1) VETERANS TRUST FUND CHECKOFF. The treatment of sections 71.10 (5g) and
7 71.30 (11) (i) of the statutes first applies to taxable years beginning on January 1 of
8 the year in which this subsection takes effect, except that if this subsection takes
9 effect after July 31 the treatment of section 71.10 (5g) of the statutes first applies to
10 taxable years beginning on January 1 of the year following the year in which this
11 subsection takes effect.

12 (END)