

HOUSE BILL NO. 840

Introduced: 02/15/83

Referred to Committee on Human Services: 02/15/83

Hearing: 2/21/83

Died in Committee

1 House BILL NO. 840
 2 INTRODUCED BY Darlin Smith, Curtis Marks,
Edison Smith, M. Hanson, Cooper Smith,
Swift, Selinsky, Roger Olson, John Ryan,
 4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR A
Smith Jones House
 5 VOLUNTARY CONTRIBUTION CHECKOFF ON INCOME TAX RETURNS FOR
 6 THE BATTERED SPOUSES AND DOMESTIC VIOLENCE GRANT PROGRAM
 7 WHEN THE TAXPAYER IS ENTITLED TO A REFUND; ESTABLISHING AN
 8 ACCOUNT FOR THE CONTRIBUTIONS; AMENDING SECTION 40-2-405,
 9 MCA."

10
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 NEW SECTION. Section 1. Voluntary checkoff for
 13 battered spouses and domestic violence grant program. (1)
 14 Each individual taxpayer who is required to file an income
 15 tax return under this chapter and who is entitled to a
 16 refund may contribute to the battered spouses and domestic
 17 violence grant program provided for in Title 40, chapter 2,
 18 part 4, by marking the appropriate box on the state income
 19 tax return. A taxpayer's contribution under this section may
 20 not exceed the amount of income tax refund due the taxpayer.

21 (2) Each Montana state individual income tax return
 22 form shall contain a provision for indicating a contribution
 23 to the battered spouses and domestic violence grant program
 24 in substantially the following form:

25 Battered spouses and domestic violence grant program.

1 Check the appropriate blank if you wish to designate \$2....
 2 \$5...., \$10...., or more (indicate amount: ...) of your tax
 3 refund to help fund the battered spouses and domestic
 4 violence grant program in Montana. On a joint return, check
 5 the appropriate blank if your spouse wishes to contribute
 6 \$2...., \$5...., \$10...., or more (indicate amount: ...) of the
 7 refund for the same purpose.

8 (3) Money received under this section must be
 9 deposited in the battered spouses and domestic violence
 10 grant program account created by [section 2].

11 NEW SECTION. Section 2. Account established. There is
 12 within the earmarked revenue fund a battered spouses and
 13 domestic violence grant program account. Money is payable
 14 into this account in accordance with [section 1] to meet
 15 part of the funding needs of the battered spouses and
 16 domestic violence grant program created in 40-2-401. The
 17 state treasurer shall draw warrants from this account upon
 18 order of the department of social and rehabilitation
 19 services.

20 Section 3. Section 40-2-405, MCA, is amended to read:
 21 "40-2-405. Funding. (1) Revenue Revenues from the
 22 marriage license fee is and the voluntary contribution
 23 provided in [section 1] are the primary source sources of
 24 funding for the battered spouses and domestic violence
 25 program. The disposition of the marriage license fee is as

1 established in 25-1-201.

2 (2) Twenty percent of the operational costs of a
3 battered spouses and domestic violence program must come
4 from the local community served by the program. The local
5 contribution may include in-kind contributions."

6 **NEW SECTION.** Section 4. Codification instruction. (1)
7 Section 1 is intended to be codified as an integral part of
8 Title 15, chapter 30, and the provisions of Title 15,
9 chapter 30, apply to section 1.

10 (2) Section 2 is intended to be codified as an
11 integral part of Title 40, chapter 2, part 4, and the
12 provisions of Title 40, chapter 2, part 4, apply to section
13 2.

-End-

STATE OF MONTANA

REQUEST NO. 443-83

FISCAL NOTE

Form BD-15

In compliance with a written request received February 16, 19 83, there is hereby submitted a Fiscal Note for House Bill 840 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

House Bill 840 provides for a voluntary contribution checkoff on income tax returns for the battered spouses and domestic violence grant program when the taxpayer is entitled to a refund; and establishes an account for contributions.

ASSUMPTIONS:

- 1) The proposed income tax refund checkoff for the battered spouse and domestic violence grant program would necessitate increased expenditures by the Department of Revenue amounting to \$1,000 annually for forms and instructions, \$1,370 annually for data processing production costs, and \$3,400 for data processing development costs during FY84.
- 2) It is not possible to predict the amount of contributions for the battered spouse and domestic violence grant program which would proceed from the proposed income tax refund checkoff.

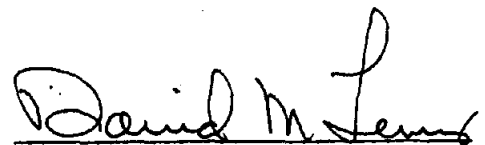
FISCAL IMPACT:

| | <u>FY84</u> | <u>FY85</u> |
|--------------------|--------------|--------------|
| Operating Expenses | | |
| Under Current Law | -0- | -0- |
| Under Proposed Law | <u>5,770</u> | <u>2,370</u> |
| Estimated Increase | <u>5,770</u> | <u>2,370</u> |

In Fiscal Years 1982 and 1983, \$115,500 was appropriated for domestic violence programs: \$75,000 per year funded 16 domestic violence grants per year and \$40,500 per year funded five domestic violence shelter care programs. Marriage license fees provide for this source of revenue. A 20% match is currently required to receive domestic violence programs.

The Department of Social and Rehabilitation Services may need to adopt rules to carry out the administration and purposes of this part.

FISCAL NOTE 16: P/1



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-20-83