

## 2002 SESSION

### SENATE SUBSTITUTE

023116420

#### SENATE BILL NO. 309

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Finance  
on January 16, 2002)

(Patron Prior to Substitute—Senator Edwards)

*A BILL to amend the Code of Virginia by adding sections numbered 58.1-344.2 and 58.1-346.19, relating to voluntary contribution of tax refunds.*

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding sections numbered 58.1-344.2 and 58.1-346.19 as follows:**

**§ 58.1-344.2. Voluntary contributions; cost of administration.**

*For all voluntary contributions made on individual income tax returns for taxable years beginning on or after January 1, 2003, the Department of Taxation may retain up to ten percent of all voluntary contributions made for the taxable year, but not to exceed \$75,000 for any taxable year, for its costs in administering voluntary contributions. The amount otherwise payable to each organization for which a voluntary contribution has been designated shall be reduced on a pro rata basis in accordance with the amount of voluntary contributions designated to the specific organization in the previous taxable year as compared to the total of all voluntary contributions designated to organizations in the previous taxable year.*

**§ 58.1-346.19. Voluntary contribution to the Art Museum of Western Virginia.**

*A. For taxable years beginning on or after January 1, 2003, but before January 1, 2008, any individual eligible to receive a tax refund pursuant to § 58.1-309 may designate, at the time of filing the return, a voluntary contribution of any amount of such refund, but not less than one dollar, to the Art Museum of Western Virginia to assist in its mission of promoting art through its collections, and education and outreach programs.*

*B. All revenues collected pursuant to subsection A shall be deposited into a special fund in the state treasury to be known as the Art Museum of Western Virginia Fund, which special fund is hereby established. The Tax Commissioner shall determine annually the total amount of revenue designated for the Art Museum of Western Virginia on all state income tax returns and shall report the same to the State Treasurer, who shall pay that amount from such special fund to the Art Museum of Western Virginia.*

**2. That the Department of Taxation may recover only those costs for administering voluntary contributions incurred on or after January 1, 2003.**

SENATE SUBSTITUTE

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