Senate Amendments to House Bill No. 683

TO THE CLERK OF THE HOUSE:

  THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

  Amend by striking all after the enacting clause and inserting in lieu thereof the following:

6   **SECTION 1.** Section 33-4-1, Mississippi Code of 1972, is

7 amended as follows:

8   33-4-1. *** * *** A special fund to be designated the

9 "Mississippi Military Family Relief Fund" is created in the State

10 Treasury. The fund shall be maintained by the State Treasurer as

11 a separate and special fund, separate and apart from the General

12 Fund of the state. The fund shall consist of any money designated

13 for deposit therein from any source, including, but not limited

14 to, money designated for deposit therein by Section 27-7-94, and

15 private contributions. Unexpended amounts remaining in the fund

16 at the end of a fiscal year shall not lapse into the State General

17 Fund and any interest earned or investment earnings on amounts in

18 the fund shall be deposited into the fund. Money in the fund

19 shall be under the direction of the Military Department. Such

20 funds shall be paid by the State Treasurer upon warrants issued by

21 the Department of Finance and Administration, based upon

22 recommendations made by the Adjutant General. Money in the fund

23 shall be utilized to make grants to families that experience a

24 financial hardship as a result of a family member who is a

25 Mississippi resident and a member of the Mississippi National

26 Guard or the Reserves of the Armed Forces of the United States

27 being called to active duty as a result of the September 11, 2001,

28 terrorist attacks. The Adjutant General shall establish

29 eligibility requirements for receipt of the grants and the amount

30 of the grants by rule no later than December 31, 2005.

31 *** * ***

32   **SECTION 2.** Section 27-7-94, Mississippi Code of 1972, is

33   amended as follows:

34   27-7-94. (1) Each resident individual taxpayer who files a

35   Mississippi income tax return and who will receive a tax refund

36   from the State Tax Commission may designate that a contribution be

37   made to the Mississippi Military Family Relief Fund created in

38   Section 33-4-1, to authorize resident individual income taxpayers

39   to designate any portion of their tax refund for deposit into the

40   Mississippi Military Family Relief Fund by marking the appropriate

41   box printed on the return pursuant to this subsection. In the

42   case of a joint return, each spouse may designate that a portion

43   of the refund shall be paid to such fund.

44   The State Tax Commission shall print on the Mississippi

45   income tax form for residents a space for designating the

46   contribution in substantially the following form:

47   "Mississippi Military Family Relief Fund

48   I wish to contribute ( ) $1 ( ) $5 ( ) $10 ( ) Other $____

49   of my tax refund to the Mississippi Military Family Relief Fund."

50   (2) The State Tax Commission shall explain in the

51   instructions accompanying the individual income tax form the

52   purposes for which the contributions authorized herein shall be

53   used.

54   (3) This section shall apply to taxable years beginning on

55   or after January 1, 2005.

56   (4) The Chairman of the State Tax Commission shall determine

57   annually the total amount designated by individuals to be paid to

58   the fund, along with all interest earned thereon, and shall report

59   such amount to the State Treasurer who shall pay such amount into

60   the Mississippi Military Family Relief Fund.

61   *** * ***

62   **SECTION 3.** This act shall take effect and be in force from

63   and after July 1, 2007.

        **Further, amend by striking the title in its entirety and

    inserting in lieu thereof the following:**

1   AN ACT TO AMEND SECTIONS 33-4-1 AND 27-7-94, MISSISSIPPI CODE
2 OF 1972, WHICH ESTABLISH THE MISSISSIPPI MILITARY FAMILY RELIEF
3 FUND AND TAX CHECKOFF PROGRAM, TO REMOVE THE PROVISIONS THAT
4 REQUIRES THE REPEAL OF SUCH SECTIONS; AND FOR RELATED PURPOSES.

   SS01\HB683A.J

                                          John O. Gilbert
                                          Secretary of the Senate