

SENATE No. 1241

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act to establish and encourage donations to the Massachusetts Epilepsy Research Fund..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 62 of the general laws, as appearing in the 2006 Official Edition, is
2 hereby amended by inserting after section 6K, the following new section:-

3 Section 6L. Every individual who files a separate return and every married couple filing a
4 return jointly may voluntarily contribute all or part of any refund to which they are entitled, or
5 may voluntarily add an amount onto any amount due, to be credited to the Massachusetts
6 Epilepsy Research Fund established pursuant to section 35DD of chapter ten.

7 A contribution made under this section may be with respect to any taxable year at the
8 time of filing a return of the tax established by this chapter for such taxable year; provided,
9 however, that the commissioner shall prescribe the manner in which such contribution shall be
10 made on the face of the return required by section five of chapter sixty-two C; and provided,
11 further, that the commissioner shall assure that taxpayers filing any such forms are made clearly
12 aware of their ability to make the contributions provided for by this section.

13 The commissioner shall annually report the total amount designated under this section to
14 the state treasurer, who shall credit such amount to said Massachusetts Epilepsy Research Fund.

15 SECTION 2. Chapter 10 of the General Laws, as so appearing, is hereby amended by
16 inserting after section 35CC the following new section:-

17 Section 35DD. There shall be established and set up on the books of the commonwealth a
18 separate fund, to be administered by the commissioner of public health as provided in section
19 2G, of chapter 111, to be known as the Massachusetts Epilepsy Research Fund. Said fund shall
20 consist of all revenues received by the commonwealth under the provisions of section 6L of
21 chapter 62, from public and private sources as gifts, grants, and donations to further the purposes
22 of said fund as set out in section 2G of said chapter 111. All revenues credited to said fund under
23 this section shall remain in said fund, not subject to appropriation, for application to said
24 purposes. The state treasurer shall not deposit said revenues in, or transfer said revenues to, the
25 General Fund or any other fund other than the Massachusetts Epilepsy Research Fund. The state
26 treasurer shall deposit monies in said fund in accordance with the provisions of section 34 and
27 34A of chapter 29 in such manner as will secure the highest interest rate available consistent with
28 safety of the fund and with the requirement that all amounts on deposit be available for
29 immediate withdrawal at any time. Said fund shall be expended only for the purposes stated in
30 section 2G of chapter 111 at the direction of the commissioner of public health, and any
31 unexpended balances shall be redeposited, as herein provided, for further use consistent with this
32 section.

33 SECTION 3. Chapter 111 of the General Laws, as so appearing, is hereby amended by
34 inserting after section 2F the following new section:-

35 Section 2G. The commissioner may expend amounts contained in the fund, solely for
36 research, treatment and education related to epilepsy. Expenditures from the fund for such
37 purposes shall complement and not replace existing local, state, or federal epilepsy related
38 funding.