AN ACT ESTABLISHING THE STATE CAPITOL COMPLEX FUND FOR CAPITAL EXPENDITURE PROGRAMS AT THE STATE CAPITOL AND THE OLD STATE HOUSE AND A TAX CREDIT FOR DONATIONS TO SAID FUND.

SUMMARY

This bill establishes a business tax credit for companies that donate money to a new State Capitol Complex Fund for capital improvements and historic preservation projects at the State Capitol and Old State House. It caps at $5 million the total amount of such credits that may be issued in any fiscal year.

The bill requires the Legislative Management Committee’s executive director, with the committee’s approval, to use the fund’s resources for capital expenditure programs and historic preservation and restoration projects at the State Capitol and Old State House. By law, the State Commission on Capitol Preservation and Restoration approves plans and specifications for capitol preservation and restoration projects. The bill authorizes the commission to do so for such projects at the Old State House as well.

The bill also eliminates provisions transferring responsibility for the Old State House from the Office of Legislative Management (OLM) to the Department of Energy and Environmental Protection (DEEP). These provisions (1) require the Legislative Management Committee to lease or sublease the Old State House to DEEP for $1 and (2) required OLM, on June 30, 2016, to transfer the funds in its Old State House (Private Funds) account in the General Fund to DEEP. The Committee has maintained and operated the Old State House on DEEP’s behalf under a memorandum of agreement since September 2016.

EFFECTIVE DATE: July 1, 2019
STATE CAPITOL COMPLEX FUND

The bill establishes the State Capitol Complex Fund as a separate, nonlapsing fund held by the comptroller and authorizes the fund to receive any moneys the law requires or allows to be deposited into it. Investment earnings credited to the fund must become part of the fund’s assets.

The comptroller must provide the Legislative Management Committee (1) at least quarterly, an accounting of any moneys deposited in the fund in the preceding quarter and (2) an annual report of the fund’s balance, including any deposits and withdrawals in the preceding year.

TAX CREDIT FOR DONATIONS TO STATE CAPITOL COMPLEX FUND

Credit Administration

The bill authorizes any company (i.e., person, partnership, association, limited liability company, or corporation, but not an incorporated municipality) to make a voluntary, unrestricted, and irrevocable cash donation to the newly established fund. The comptroller must (1) issue the company a receipt or voucher that entitles the company to a tax credit and (2) provide the Department of Revenue Services (DRS) commissioner any documentation or information the commissioner requests or requires to administer the credits.

The DRS commissioner must prescribe the credit receipt or voucher, which must include the (1) company’s name, address, and tax identification number; (2) donation date and amount; and (3) any other information the commissioner requires. He may also require taxpayers to provide other documentation or information necessary to verify their tax credit claim.

Credit Claims

Taxpayers may apply the credits against the insurance premiums; corporation business; air carriers; railroad companies; cable, satellite, and video companies; and utilities companies tax. They may (1) carry
forward unused credits for five income years, until fully used, and (2) transfer credits, in whole or part, to other taxpayers up to three times.

COMMITTEE ACTION

Finance, Revenue and Bonding Committee

Joint Favorable

Yea 47  Nay 3  (04/30/2019)