

By Mr. Howarth of Springfield, petition of Robert L. Howarth and Brian P. Lees for legislation to establish a bone marrow donor fund from certain revenues received under state income tax. Taxation.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Ninety-Two.

AN ACT ESTABLISHING A BONE MARROW DONOR PROGRAM.

*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 10 of the General Laws is hereby  
2 amended by inserting after section 35J the following section: —

3 Section 35K. There shall be established and set up on the books  
4 of the commonwealth a separate fund to be known as the Bone  
5 Marrow Donor Fund for a bone marrow donor program in the  
6 commonwealth. Said fund shall consist of all revenues received  
7 by the commonwealth: — (1) under the provisions of section six H  
8 of chapter sixty-two; (2) from public and private sources as gifts,  
9 grants, and donations to further such bone marrow donor  
10 programs; and (3) from the federal government as reimburse-  
11 ments, grants-in-aid or other receipts on account of such bone  
12 marrow donor programs.

13 All revenues credited under this section shall remain in said  
14 Bone Marrow Donor Fund, not subject to appropriation, for the  
15 purposes set forth in section five Q of chapter one hundred and  
16 eleven.

17 The state treasurer shall not deposit said revenues in or transfer  
18 said revenues to the General Fund or any other fund other than  
19 the Bone Marrow Donor Fund.

20 The state treasurer shall deposit the fund in accordance with  
21 the provisions of sections thirty-four and thirty-four A of chap-  
22 ter twenty-nine in such manner as will secure the highest interest  
23 rate available consistent with safety of the fund and with the  
24 requirement that all amounts of deposit be available for

25 immediate withdrawal at any time. The fund shall be expended  
26 only for the purposes stated above at the direction of the  
27 commissioner of public health and any unexpended balances shall  
28 be redeposited, as herein provided, for future use consistent with  
29 this section.

1 SECTION 2. Chapter 62 of the General Laws is hereby  
2 amended by inserting after section 6G, inserted by section 27 of  
3 chapter 121 of the acts of 1990, the following section: —

4 Section 6H. Every individual who files a separate return and  
5 every husband and wife filing a return jointly may voluntarily  
6 contribute all or part of any refund to which they are entitled or  
7 may voluntarily add an amount onto any amount due to be  
8 credited to the Bone Marrow Donor Fund, established pursuant  
9 to section thirty-five K of chapter ten.

10 A contribution made under this section may be made with  
11 respect to any taxable year at the time of filing a return of the  
12 tax imposed by this chapter for such taxable year; provided,  
13 however, that the commissioner shall prescribe the manner in  
14 which such contribution shall be made on the face of the return  
15 required by section five of chapter sixty-two C.

16 The commissioner shall annually report the total amount  
17 designated under this section to the state treasurer who shall credit  
18 such amount to said Bone Marrow Donor Fund.

1 SECTION 3. Chapter 111 of the General Laws is hereby  
2 amended by inserting after section 5P the following section: —

3 Section 5Q. The department is hereby authorized to establish  
4 and maintain a bone marrow donor program for persons suffering  
5 from leukemia, aplastic anemia or related conditions or diseases  
6 within the commonwealth.

7 The department may enter into agreements with hospitals and  
8 other public or private health, welfare and rehabilitation agencies  
9 or foundations and work in cooperation with such agencies to  
10 foster and encourage and establish recruitment programs for  
11 prospective donors of bone marrow, to maintain lists of volunteers  
12 for marrow transplants, seek funds and facilities for blood tests  
13 for prospective donors, establish and maintain, in cooperation  
14 with the national marrow donor program, a registry and data

15 bank of persons who need a marrow transplant and prospective  
16 compatible donors for the harvesting of said marrow.

17 The department may accept for such purposes and research any  
18 special grants of money, services or property from the federal  
19 government or any political subdivision thereof, or from any  
20 foundation, organization or medical school.

1 SECTION 4. Section 6H of chapter 62 of the General Laws,  
2 inserted by section 2 of this act, shall apply to taxable years  
3 commencing on and after January first, nineteen hundred and  
4 ninety-one.

