

111TH CONGRESS  
1ST SESSION

# H. R. 189

To amend the Internal Revenue Code of 1986 to allow taxpayers to designate income tax overpayments as contributions to the United States Library Trust Fund.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2009

Mr. SERRANO introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend the Internal Revenue Code of 1986 to allow taxpayers to designate income tax overpayments as contributions to the United States Library Trust Fund.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “United States Library  
5 Trust Fund Act”.

6 **SEC. 2. UNITED STATES LIBRARY TRUST FUND.**

7 (a) DESIGNATION OF OVERPAYMENTS AS CONTRIBU-  
8 TIONS TO UNITED STATES LIBRARY TRUST FUND.—Sub-

1 chapter A of chapter 61 of the Internal Revenue Code of  
 2 1986 is amended by adding at the end the following new  
 3 part:

4 **“PART IX—DESIGNATION OF OVERPAYMENTS AS**  
 5 **CONTRIBUTIONS TO UNITED STATES LI-**  
 6 **BRARY TRUST FUND**

“Sec. 6097. Designation.

7 **“SEC. 6097. DESIGNATION.**

8 “(a) IN GENERAL.—Every taxpayer who makes a re-  
 9 turn of the tax imposed by subtitle A for any taxable year  
 10 may designate that a specified portion (not less than \$1)  
 11 of the amount of any overpayment of tax for such taxable  
 12 year shall be paid over to the United States Library Trust  
 13 Fund in accordance with the provisions of section 9511.

14 “(b) MANNER AND TIME OF DESIGNATION.—A des-  
 15 ignation under subsection (a) may be made with respect  
 16 to any taxable year—

17 “(1) at the time of filing the return of the tax  
 18 imposed by chapter 1 for such taxable year, or

19 “(2) at any other time (after the time of filing  
 20 the return of the tax imposed by chapter 1 for such  
 21 taxable year) specified in regulations prescribed by  
 22 the Secretary.

23 Such designation shall be made in such manner as the  
 24 Secretary prescribes by regulations except that such des-

1   ignation shall be made either on the first page of the re-  
 2   turn or on the page bearing the taxpayer's signature.

3       “(c) OVERPAYMENTS TREATED AS REFUNDED.—For  
 4   purposes of this title, any portion of an overpayment of  
 5   tax designated under subsection (a) shall be treated as  
 6   being refunded to the taxpayer as of the last date pre-  
 7   scribed for filing the return of tax imposed by chapter 1  
 8   (determined without regard to extensions).”.

9       (b) CREATION OF TRUST FUND.—Subchapter A of  
 10   chapter 98 of such Code is amended by adding at the end  
 11   the following new section:

12   **“SEC. 9511. UNITED STATES LIBRARY TRUST FUND.**

13       “(a) CREATION OF TRUST FUND.—There is estab-  
 14   lished in the Treasury of the United States a trust fund  
 15   to be known as the ‘United States Library Trust Fund’,  
 16   consisting of such amounts as may be credited or paid to  
 17   such trust fund as provided in section 6097.

18       “(b) TRANSFERS TO TRUST FUND.—There are here-  
 19   by appropriated to the United States Library Trust Fund  
 20   amounts equivalent to the amounts of the overpayments  
 21   of tax to which designations under section 6097 apply.

22       “(c) EXPENDITURES FROM TRUST FUND.—Amounts  
 23   in the United States Library Trust Fund shall be avail-  
 24   able, as provided in appropriation Acts, only for purposes

1 of making expenditures to carry out section 3 of the  
 2 United States Library Trust Fund Act.”.

3 (c) CLERICAL AMENDMENTS.—

4 (1) The table of parts for subchapter A of chap-  
 5 ter 61 of such Code is amended by adding at the  
 6 end the following new item:

“PART IX.—DESIGNATION OF OVERPAYMENTS AS CONTRIBUTIONS TO  
 UNITED STATES LIBRARY TRUST FUND”.

7 (2) The table of sections for subchapter A of  
 8 chapter 98 of such Code is amended by adding at  
 9 the end the following new item:

“Sec. 9511. United States Library Trust Fund.”.

10 (d) EFFECTIVE DATE.—The amendments made by  
 11 this section shall apply to taxable years ending after the  
 12 date of the enactment of this Act.

13 **SEC. 3. GRANTS TO LIBRARIES.**

14 (a) ELIGIBILITY OF PUBLIC LIBRARIES AND PUBLIC  
 15 SCHOOL LIBRARIES.—A public library or public school li-  
 16 brary is eligible to receive a grant under this section from  
 17 the United States Library Trust Fund established pursu-  
 18 ant to section 9511 of the Internal Revenue Code of 1986  
 19 for any fiscal year by submitting an application to the Of-  
 20 fice of Library Services that includes—

21 (1) certification that the library does not have  
 22 the financial resources available to purchase new  
 23 books or collections;

1           (2) assurances that funds received under this  
2       section will be used only to purchase materials for  
3       the library;

4           (3) assurances that funds received under this  
5       section will be used to supplement, not supplant,  
6       other funds received by such library; and

7           (4) an agreement to make available any finan-  
8       cial records that the Office of Library Services may  
9       need for audit purposes.

10       (b) GRANT SELECTION.—The Office of Library Serv-  
11   ices shall select the number of grant awards made under  
12   this section and the amount of each such award based  
13   upon economic need in accordance with regulations pub-  
14   lished by the Office.

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