



# **COMMONWEALTH of VIRGINIA**

## **Department of Taxation**

January 11, 2019

To: The Honorable Emmett W. Hanger, Jr.  
Co-Chairman, Senate Finance Committee

The Honorable Thomas K. Norment, Jr.  
Co-Chairman, Senate Finance Committee

The Honorable R. Lee Ware, Jr.  
Chairman, House Finance Committee

Pursuant to *Va. Code* § 58.1-344.3, the Department of Taxation (“the Department”) is required to report to the Chairmen of the Senate and House Finance Committees the amounts collected for each voluntary contribution for the three most recent taxable years for which there is complete data. This report is also required to list which entities, if any, will be removed from the Virginia individual income tax return because they have failed to meet the \$10,000 per year minimum contribution requirement. Finally, the report must list which entities, if any, will be added to the income tax return in order to bring the total number of voluntary contributions to 25.

### **2018 Returns**

No organizations were removed from the list of voluntary contributions on the 2018 individual income tax return. Because there were no additional organizations on the waiting list, no organizations were automatically added to the 2018 individual income tax return.

During the 2018 Session, the General Assembly enacted Senate Bill 376 (2018 Acts of Assembly, Chapter 621), which added the nonprofit organization, Children of America Finding Hope, back to the individual income tax return for Taxable Year 2018. This organization was removed from the individual income tax return for Taxable Year 2015 for failing to meet the minimum contribution requirement for Taxable Year 2014.

### **2019 Returns**

Of the nine organizations that were added to the 2016 individual income tax return, eight of these organizations did not meet the minimum \$10,000 requirement. Such organizations include:

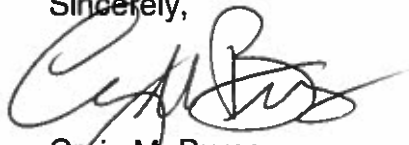
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- Medicare Part D Counseling Fund,
- Community Foundations,
- Virginia Foundation of Community College Education,
- Middle Peninsula Chesapeake Bay Public Access Authority,
- Breast and Cervical Cancer Prevention and Treatment Fund,
- Virginia Aquarium and Marine Science Center,
- Virginia Capitol Preservation Foundation, and
- Office of the Secretary of Veteran Affairs and Homeland Security.

Pursuant to *Va. Code* § 58.1-344.3(3)(b), such entities shall appear on the return for at least three consecutive years before they will be removed from the return. If the General Assembly takes no action, these organizations will be removed from the 2019 individual income tax return. Because there are no additional organizations on the waiting list, if the General Assembly takes no action, there will not be any organizations added to the 2019 individual income tax return.

The enclosed document presents the report for 2018. Please contact me if you have any questions.

Sincerely,



Craig M. Burns  
Tax Commissioner

CMB/jf

Enclosure

CC: The Honorable Aubrey L. Layne, Jr., Secretary of Finance

## Voluntary Contributions: Amounts Collected for 2015-2017

### Introduction

In 2004, the General Assembly enacted House Bill 1486 (2004 *Acts of Assembly*, Chapter 649), which limited the number of organizations qualifying for voluntary contributions to 25, and required that organizations receive at least \$10,000 in voluntary contributions annually for at least three consecutive years in order to continue to be included on the individual income tax return.

In 2005, the General Assembly clarified this requirement by passing House Bill 2303 (2005 *Acts of Assembly*, Chapter 860). This bill created a new process for limiting the voluntary contributions listed on the Virginia individual income tax return. As required by the 2004 legislation, the number of contributions is limited to 25, and all entities eligible to receive voluntary contributions must receive at least \$10,000 in each of the three previous taxable years for which there is complete data and for which the entity is listed on the individual income tax return. In addition, each new entity is required to be listed on the individual income tax return for three consecutive taxable years before the \$10,000 requirement is applied to it.

At the time that these changes were made, a survey of the other states that impose a broad-based income tax on individuals showed that Virginia, with 27 voluntary contributions, had by far the most voluntary contributions. The average number of voluntary contributions per state at that time was six.

### Virginia 529 Contributions

In 2013, the General Assembly enacted House Bill 2145 and Senate Bill 1220, which became effective January 1, 2014. This legislation allowed an individual to designate that his individual income tax refund, or a portion thereof, be deposited into one or more Virginia College Savings Plan ("Virginia 529") accounts. The following table shows the annual contributions to Virginia 529 accounts:

<b>Virginia 529 Contributions</b>	<b>Amount of Contributions</b>	<b>Number of Returns</b>
Taxable Year 2014	\$452,077	775
Taxable Year 2015	\$586,283	975
Taxable Year 2016	\$712,691	1,110
Taxable Year 2017	\$648,929	983

## Amounts Collected for Each Voluntary Contribution

The chart below provides each voluntary contribution that was listed on the 2017 Virginia individual income tax return and the amount contributed during Taxable Years 2015, 2016, and 2017.

<b>Amount Collected for Voluntary Contributions: 2015-2017</b>							
		2015 Return		2016 Return		2017 Return	
Program/Fund	First Return	Number	Amount	Number	Amount	Number	Amount
1. Virginia Nongame Wildlife Program	1981	1,098	\$37,791	1,097	\$39,819	3,601	\$87,144
2. Virginia Open Space Recreation and Conservation Fund	1988	613	\$16,124	688	\$17,674	2,105	\$45,028
3. Combined Political Party Contributions	1982	563	\$12,534	771	\$17,989	2,872	\$62,339
4. Virginia Housing Program	1997	448	\$12,310	446	\$14,867	1,808	\$43,610
5. Virginia Family and Children's Trust Fund	1998	347	\$10,690	368	\$15,366	1,230	\$28,944
6. Virginia Elderly and Disabled Transportation Fund	1997	669	\$18,463	700	\$18,800	3,077	\$68,659
7. Virginia Arts Foundation	1997	428	\$12,645	609	\$17,325	2,458	\$49,534
8. Chesapeake Bay Restoration	1997	1,206	\$37,858	1,261	\$39,014	3,164	\$83,670
9. State Forests Systems Fund	1999	605	\$13,895	637	\$15,130	1,942	\$36,737
10. Public School Foundations	2002	497	\$19,274	541	\$31,980	1,334	\$43,953
11. Virginia Federation of Humane Societies	2004	474	\$12,311	471	\$13,318	1,600	\$33,485
12. Spay and Neuter Fund	2004	640	\$17,470	678	\$18,474	2,170	\$46,050
13. Cancer Centers	2006	455	\$12,814	465	\$11,606	1,902	\$42,383
14. Virginia Military Family Relief Fund	2008	650	\$19,916	601	\$17,964	1,804	\$44,190
15. Public libraries foundations	2009	785	\$24,837	789	\$22,895	1,635	\$43,002
16. VDA Medicare Part D Counseling Fund	2016			72	\$1,387	384	\$5,535
17. Community Foundations	2016			69	\$2,147	144	\$3,641
18. Virginia Foundation of Community College Education	2016			197	\$4,975	678	\$13,667
19. Middle Peninsula Chesapeake Bay Public Access Authority	2016			80	\$1,247	297	\$3,809
20. Breast and Cervical Cancer Prevention Treatment Fund	2016			320	\$8,591	1,149	\$21,961
21. Virginia Aquarium and Marine Science Center	2016			239	\$4,318	953	\$15,759
22. Virginia Capitol Preservation Foundation	2016			77	\$1,045	136	\$1,481
23. Office of the Secretary of Veteran Affairs and Homeland Security	2016			196	\$3,715	1,604	\$31,516
24. Federation of Virginia Food Banks	2016			657	\$19,802	2,789	\$72,060
<b>Total</b>		<b>12,154</b>	<b>\$345,397</b>	<b>12,404</b>	<b>\$368,391</b>	<b>40,836</b>	<b>\$928,159</b>

## Changes to the 2018 Income Tax Return

No organizations were removed from or added to the list of voluntary contributions on the 2018 individual income tax return by operation of the minimum contribution requirement. However, during the 2018 Session, the General Assembly enacted legislation which added the nonprofit organization, Children of America Finding Hope, back to the individual income tax return for Taxable Year 2018. This organization was removed from the individual income tax return for Taxable Year 2015 for failing to meet the minimum contribution requirement for Taxable Year 2014.

## Changes to the 2019 Income Tax Return

If the General Assembly takes no action, the following organizations are scheduled to be removed from the list of voluntary contributions on the 2019 individual income tax return:

- Medicare Part D Counseling Fund,
- Community Foundations,
- Virginia Foundation of Community College Education,
- Middle Peninsula Chesapeake Bay Public Access Authority,
- Breast and Cervical Cancer Prevention and Treatment Fund,
- Virginia Aquarium and Marine Science Center,
- Virginia Capitol Preservation Foundation, and
- Office of the Secretary of Veteran Affairs and Homeland Security.

## Summary of Voluntary Contributions

Set out in the table below is a summary of all of the voluntary contributions that have been removed from or added to the individual income tax return since the adoption of House Bill 2303 in 2005 (codified at *Va. Code* § 58.1-344.3).

### Summary of Voluntary Contributions

#### 2005: Changes Reflected on Income Tax Returns for 2005

Program / Fund	Enacted	Action	Comments
University of Virginia Center for Government Studies	1999 ch. 948	<ul style="list-style-type: none"> <li>Removed from 2005 return</li> <li>First appeared on 1999 return</li> </ul>	<ul style="list-style-type: none"> <li>§ 58.1-344.3 B 11</li> <li>Failed to receive \$10,000 in 2001, 2002 &amp; 2003</li> <li>Expired with 2004 return</li> </ul>
George Mason Law and Economics Center	1999 ch. 948	<ul style="list-style-type: none"> <li>Removed from 2005 return</li> <li>First appeared on 1999 return</li> </ul>	<ul style="list-style-type: none"> <li>§ 58.1-344.3 B 12</li> <li>Failed to receive \$10,000 in 2001, 2002 &amp; 2003</li> <li>Expired with 2004 return</li> </ul>
Virginia Foundation for the Humanities and Public Policy Fund	1999 ch. 948	<ul style="list-style-type: none"> <li>Removed from 2005 return</li> <li>First appeared on 1999 return</li> </ul>	<ul style="list-style-type: none"> <li>§ 58.1-344.3 B 10</li> <li>Failed to receive \$10,000 in 2001, 2002 &amp; 2003</li> <li>Expired with 2004 return</li> </ul>
Office of Commonwealth Preparedness	2004 ch. 649	<ul style="list-style-type: none"> <li>Added to 2005 return</li> </ul>	<ul style="list-style-type: none"> <li>§ 58.1-344.3 B 21</li> </ul>

#### 2006: Changes Reflected on Income Tax Returns for 2006

Program / Fund	Enacted	Action	Comments
4-H Educational Centers (4H Camp)	2001 ch. 535	<ul style="list-style-type: none"> <li>Removed from 2006 return</li> <li>First appeared on 2002 return</li> </ul>	<ul style="list-style-type: none"> <li>§ 58.1-344.3 B 14</li> <li>Failed to receive \$10,000 in 2002, 2003 &amp; 2004</li> </ul>
Virginia Transplant Council	2001 ch. 560	<ul style="list-style-type: none"> <li>Removed from 2006 return</li> <li>First appeared on 2002 return</li> </ul>	<ul style="list-style-type: none"> <li>§ 58.1-344.3 B 15</li> <li>Failed to receive \$10,000 in 2002, 2003 &amp; 2004</li> </ul>
Cancer Centers	2004 ch. 649	<ul style="list-style-type: none"> <li>Added to 2006 return</li> </ul>	<ul style="list-style-type: none"> <li>§ 58.1-344.3 B 22</li> </ul>
Brown v. Board of Education Scholarship Program Fund	2005 ch. 860, 889	<ul style="list-style-type: none"> <li>Added to 2006 return</li> </ul>	<ul style="list-style-type: none"> <li>§ 58.1-344.3 B 23</li> </ul>

#### 2007: Changes Reflected on Income Tax Returns for 2007

Program / Fund	Enacted	Action	Comments
Commission for the Arts	2003 ch. 878	<ul style="list-style-type: none"> <li>Removed from 2007 return</li> <li>First appeared on 2004 return</li> </ul>	<ul style="list-style-type: none"> <li>§ 58.1-344.3 B 20</li> <li>Failed to receive \$10,000 in 2004</li> <li>Commission also receives contributions via checkoff for Virginia Arts Foundation</li> </ul>
Martin Luther King, Jr. Living History and Public Policy Center Fund	2005 ch. 860, 889	<ul style="list-style-type: none"> <li>Added to 2007 return</li> </ul>	<ul style="list-style-type: none"> <li>§ 58.1-344.3 B 24</li> </ul>

#### 2008: Changes Reflected on Income Tax Returns for 2008

Program / Fund	Enacted	Action	Comments
Office of Commonwealth Preparedness	2004 ch. 649	<ul style="list-style-type: none"> <li>Removed from 2008 return</li> <li>First appeared on 2005 return</li> </ul>	<ul style="list-style-type: none"> <li>§ 58.1-344.3 B 21</li> <li>Failed to receive \$10,000 in 2005 and 2006</li> </ul>
Jamestown-Yorktown Foundation	1999 ch. 210	<ul style="list-style-type: none"> <li>Removed from 2008 return</li> </ul>	<ul style="list-style-type: none"> <li>§ 58.1-344.3 C 3</li> </ul>

		<ul style="list-style-type: none"> <li>• First appeared on 2000 return</li> </ul>	<ul style="list-style-type: none"> <li>• Authorized for taxable years beginning before January 1, 2008</li> </ul>
Virginia Caregivers Grant Fund	2005 ch. 860, 889	<ul style="list-style-type: none"> <li>• Added to 2008 return</li> </ul>	<ul style="list-style-type: none"> <li>• § 58.1-344.3 B 25</li> </ul>
Virginia Military Family Relief Fund	2006 ch. 103, 479	<ul style="list-style-type: none"> <li>• Added to 2008 return</li> </ul>	<ul style="list-style-type: none"> <li>• § 58.1-344.3 C 8</li> </ul>
<b>2009: Changes Reflected on Income Tax Returns for 2009</b>			
<b>Program / Fund</b>	<b>Enacted</b>	<b>Action</b>	<b>Comments</b>
Brown v. Board of Education Scholarship Program Fund	2005 ch. 860, 889	<ul style="list-style-type: none"> <li>• Removed from 2009 return</li> <li>• First appeared on 2006 return</li> </ul>	<ul style="list-style-type: none"> <li>• § 58.1-344.3 B 23</li> <li>• Failed to receive \$10,000 in 2006, 2007 and 2008</li> </ul>
Virginia Caregivers Grant Fund	2005 ch. 860, 889	<ul style="list-style-type: none"> <li>• Removed from 2009 return</li> <li>• First appeared on 2008 return</li> </ul>	<ul style="list-style-type: none"> <li>• § 58.1-344.3 B 25</li> <li>• Program not funded in FY 2009</li> <li>• Removed at suggestion by DSS</li> </ul>
Public library foundations	2007 ch. 70	<ul style="list-style-type: none"> <li>• Added to 2009 return</li> </ul>	<ul style="list-style-type: none"> <li>• § 58.1-344.3 B 26</li> </ul>
Celebrating Special Children, Inc.	2007 ch. 70	<ul style="list-style-type: none"> <li>• Added to 2009 return</li> </ul>	<ul style="list-style-type: none"> <li>• § 58.1-344.3 B 27</li> </ul>
<b>2010-2015: No Changes Made to Income Tax Returns for 2010 – 2015</b>			
<b>2016: Changes Reflected on Income Tax Returns for 2016</b>			
<b>Program / Fund</b>	<b>Enacted</b>	<b>Action</b>	<b>Comments</b>
United States Olympic Committee	2005 ch. 860, 889	<ul style="list-style-type: none"> <li>• Removed from 2016 return</li> <li>• First appeared on 2005 return</li> </ul>	<ul style="list-style-type: none"> <li>• § 58.1-344.3 B 4</li> <li>• Failed to receive \$10,000 in 2014 and 2015</li> </ul>
Community Policing Fund	2005 ch. 860, 889	<ul style="list-style-type: none"> <li>• Removed from 2016 return</li> <li>• First appeared on 2005 return</li> </ul>	<ul style="list-style-type: none"> <li>• § 58.1-344.3 B 7</li> <li>• Failed to receive \$10,000 in 2014 and 2015</li> </ul>
Historic Resources Fund	2005 ch. 860, 889	<ul style="list-style-type: none"> <li>• Removed from 2016 return</li> <li>• First appeared on 2005 return</li> </ul>	<ul style="list-style-type: none"> <li>• § 58.1-344.3 B 9</li> <li>• Failed to receive \$10,000 in 2014 and 2015</li> </ul>
Uninsured Medical Catastrophe Fund	2005 ch. 860, 889	<ul style="list-style-type: none"> <li>• Removed from 2016 return</li> <li>• First appeared on 2005 return</li> </ul>	<ul style="list-style-type: none"> <li>• § 58.1-344.3 C 5</li> <li>• Failed to receive \$10,000 in 2014 and 2015</li> </ul>
Children of America Finding Hope	2005 ch. 860, 889	<ul style="list-style-type: none"> <li>• Removed from 2016 return</li> <li>• First appeared on 2005 return</li> </ul>	<ul style="list-style-type: none"> <li>• § 58.1-344.3 B 13</li> <li>• Failed to receive \$10,000 in 2014 and 2015</li> </ul>
War Memorial & National D-Day Memorial	2005 ch. 860, 889	<ul style="list-style-type: none"> <li>• Removed from 2016 return</li> <li>• First appeared on 2005 return</li> </ul>	<ul style="list-style-type: none"> <li>• § 58.1-344.3 B 16</li> <li>• Failed to receive \$10,000 in 2014 and 2015</li> </ul>
Tuition Assistance Grant Fund	2005 ch. 860, 889	<ul style="list-style-type: none"> <li>• Removed from 2016 return</li> <li>• First appeared on 2005 return</li> </ul>	<ul style="list-style-type: none"> <li>• § 58.1-344.3 B 18</li> <li>• Failed to receive \$10,000 in 2014 and 2015</li> </ul>

Martin Luther King, Jr. Living History and Public Policy Center Fund	2005 ch. 889	<ul style="list-style-type: none"> <li>Removed from 2016 return</li> <li>First appeared on 2005 return</li> </ul>	<ul style="list-style-type: none"> <li>§ 58.1-344.3 B 24</li> <li>Failed to receive \$10,000 in 2014 and 2015</li> </ul>
Celebrating Special Children, Inc.	2006 ch. 70	<ul style="list-style-type: none"> <li>Removed from 2016 return</li> <li>First appeared on 2007 return</li> </ul>	<ul style="list-style-type: none"> <li>§ 58.1-344.3 B 27</li> <li>Failed to receive \$10,000 in 2014 and 2015</li> </ul>
Medicare Part D Counseling Fund	2007 ch. 601	<ul style="list-style-type: none"> <li>Added to 2016 return</li> </ul>	<ul style="list-style-type: none"> <li>§ 58.1-344.3 B 28 a</li> </ul>
Community Foundations	2008 ch. 313, 461	<ul style="list-style-type: none"> <li>Added to 2016 return</li> </ul>	<ul style="list-style-type: none"> <li>§ 58.1-344.3 B 29</li> </ul>
Virginia Foundation for Community College Education	2008 ch. 313	<ul style="list-style-type: none"> <li>Added to 2016 return</li> </ul>	<ul style="list-style-type: none"> <li>§ 58.1-344.3 B 30</li> </ul>
Middle Peninsula Chesapeake Bay Public Access Authority	2009 ch. 4	<ul style="list-style-type: none"> <li>Added to 2016 return</li> </ul>	<ul style="list-style-type: none"> <li>§ 58.1-344.3 B 31</li> </ul>
Breast and Cervical Cancer Prevention and Treatment Fund	2009 ch. 26, 521	<ul style="list-style-type: none"> <li>Added to 2016 return</li> </ul>	<ul style="list-style-type: none"> <li>§ 58.1-344.3 B 32</li> </ul>
Virginia Aquarium and Marine Science Center	2009 ch. 41	<ul style="list-style-type: none"> <li>Added to 2016 return</li> </ul>	<ul style="list-style-type: none"> <li>§ 58.1-344.3 B 33</li> </ul>
Virginia Capitol Preservation Foundation	2010 ch. 690	<ul style="list-style-type: none"> <li>Added to 2016 return</li> </ul>	<ul style="list-style-type: none"> <li>§ 58.1-344.3 B 34</li> </ul>
Office of the Secretary of Veterans Affairs and Homeland Security	2011 ch. 780, 858	<ul style="list-style-type: none"> <li>Added to 2016 return</li> </ul>	<ul style="list-style-type: none"> <li>§ 58.1-344.3 B 35</li> </ul>
Federation of Virginia Food Banks	2015 ch. 70	<ul style="list-style-type: none"> <li>Added to 2016 return</li> </ul>	<ul style="list-style-type: none"> <li>§ 58.1-344.3 C 9</li> </ul>
<b>2017: Changes Reflected on Income Tax Returns for 2017</b>			
<b>Program / Fund</b>	<b>Enacted</b>	<b>Action</b>	<b>Comments</b>
Home Energy Assistance Fund	2002 ch. 395	<ul style="list-style-type: none"> <li>Removed from 2017 return</li> <li>First appeared on 2003 return</li> </ul>	<ul style="list-style-type: none"> <li>§ 58.1-344.3 B 7</li> <li>Failed to receive \$10,000 in 2015</li> </ul>
<b>2018: Changes Reflected on Income Tax Returns for 2018</b>			
<b>Program / Fund</b>	<b>Enacted</b>	<b>Action</b>	<b>Comments</b>
Children of America Finding Hope	2005 ch. 860, 889	<ul style="list-style-type: none"> <li>Added to the Taxable Year 2018 return through action by the General Assembly</li> </ul>	<ul style="list-style-type: none"> <li>2018 House Bill 376</li> <li>Required to be included on the return for Taxable Year 2018 – Taxable Year 2020, without considering minimum contribution requirements.</li> <li>Minimum contribution requirements apply with respect to Taxable Year 2021 and after.</li> </ul>
<b>2019: Changes Scheduled To Be Made to Income Tax Returns for 2019</b>			
<b>Program / Fund</b>	<b>Enacted</b>	<b>Action</b>	<b>Comments</b>
Medicare Part D Counseling Fund	2007 ch. 601	<ul style="list-style-type: none"> <li>Scheduled to be removed from 2019 return</li> <li>First appeared on 2016 return</li> </ul>	<ul style="list-style-type: none"> <li>§ 58.1-344.3 B 7</li> <li>Failed to receive \$10,000 in 2016</li> </ul>



Community Foundations	2008 ch. 313, 461	<ul style="list-style-type: none"> <li>Scheduled to be removed from 2019 return</li> <li>First appeared on 2016 return</li> </ul>	<ul style="list-style-type: none"> <li>§ 58.1-344.3 B 7</li> <li>Failed to receive \$10,000 in 2016</li> </ul>
Virginia Foundation for Community College Education	2008 ch. 313	<ul style="list-style-type: none"> <li>Scheduled to be removed from 2019 return</li> <li>First appeared on 2016 return</li> </ul>	<ul style="list-style-type: none"> <li>§ 58.1-344.3 B 7</li> <li>Failed to receive \$10,000 in 2016</li> </ul>
Middle Peninsula Chesapeake Bay Public Access Authority	2009 ch. 4	<ul style="list-style-type: none"> <li>Scheduled to be removed from 2019 return</li> <li>First appeared on 2016 return</li> </ul>	<ul style="list-style-type: none"> <li>§ 58.1-344.3 B 7</li> <li>Failed to receive \$10,000 in 2016</li> </ul>
Breast and Cervical Cancer Prevention and Treatment Fund	2009 ch. 26, 521	<ul style="list-style-type: none"> <li>Scheduled to be removed from 2019 return</li> <li>First appeared on 2016 return</li> </ul>	<ul style="list-style-type: none"> <li>§ 58.1-344.3 B 7</li> <li>Failed to receive \$10,000 in 2016</li> </ul>
Virginia Aquarium and Marine Science Center	2009 ch. 41	<ul style="list-style-type: none"> <li>Scheduled to be removed from 2019 return</li> <li>First appeared on 2016 return</li> </ul>	<ul style="list-style-type: none"> <li>§ 58.1-344.3 B 7</li> <li>Failed to receive \$10,000 in 2016</li> </ul>
Virginia Capitol Preservation Foundation	2010 ch. 690	<ul style="list-style-type: none"> <li>Scheduled to be removed from 2019 return</li> <li>First appeared on 2016 return</li> </ul>	<ul style="list-style-type: none"> <li>§ 58.1-344.3 B 7</li> <li>Failed to receive \$10,000 in 2016</li> </ul>
Office of the Secretary of Veterans Affairs and Homeland Security	2011 ch. 780, 858	<ul style="list-style-type: none"> <li>Scheduled to be removed from 2019 return</li> <li>First appeared on 2016 return</li> </ul>	<ul style="list-style-type: none"> <li>§ 58.1-344.3 B 7</li> <li>Failed to receive \$10,000 in 2016</li> </ul>