

FINAL BILL REPORT

SB 6206

C 137 L 10
Synopsis as Enacted

Brief Description: Authorizing extensions of the due dates for filing tax incentive accountability reports and surveys with the department of revenue.

Sponsors: Senators Haugen and Kilmer.

Senate Committee on Ways & Means
House Committee on Finance

Background: Some tax incentive programs require the taxpayer claiming the tax preference to file an annual form (either a report or a survey). Tax incentives that are industry-specific (like programs adopted for aerospace, aluminum smelters, semiconductors sectors) require the recipient to file an annual report. Tax incentives that apply more broadly require the recipient to file an annual survey.

Taxpayers filing these annual reports and surveys report on activity related to the legislative intent of adopting the tax preference, such as job creation, economic activity, and quality of employee compensation. This data is compiled and studied by various entities, like the Department of Revenue, the Citizens' Commission for the Performance Measurement of Tax Preferences, and the fiscal committees of the Legislature.

If a taxpayer fails to file a required report or survey by the due date then the business cannot claim the benefit and may have to repay any deferred taxes (the penalty for failure to file varies by tax program). Under current law, the only grounds to extend the filing due date or to waive or cancel penalties for failure to file a required report or survey is circumstances beyond the control of the taxpayer. Circumstances beyond the control of the taxpayer does not include misunderstandings or mistakes; rather, it relates to circumstances such as the death of the taxpayer, fire or other casualty, or fraud or other employee crime for which a police report was obtained.

Summary: A 90-day extension of the filing date is allowed for annual accountability reports or surveys for taxpayers who:

- make a request for a filing extension in writing; and
- have timely filed all earlier annual reports and surveys.

No taxpayer may be granted more than one 90-day extension.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

This extension applies to surveys and reports due in calendar year 2011 and thereafter.

Votes on Final Passage:

Senate	46	0	
House	98	0	(House amended)
Senate	46	0	(Senate concurred)

Effective: June 10, 2010