

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 380

BY REVENUE AND TAXATION COMMITTEE

AN ACT

1 RELATING TO INCOME TAXES; AMENDING SECTION 63-3037, IDAHO CODE, TO SPECIFY
2 FILING DATES FOR CERTAIN INFORMATION RETURNS, TO MAKE A TECHNICAL
3 CORRECTION AND TO AUTHORIZE THE STATE TAX COMMISSION TO PROVIDE A
4 DIFFERENT DATE NO EARLIER THAN THE DATE REQUIRED BY THE INTERNAL REVENUE
5 CODE FOR FILING EQUIVALENT FEDERAL RETURNS IN A NONELECTRONIC FORMAT.
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7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Section 63-3037, Idaho Code, be, and the same is hereby
9 amended to read as follows:

10 63-3037. INFORMATION RETURNS. (a) All persons, in whatever capacity,
11 including lessees or mortgagors of real or personal property, fiduciaries
12 and employers, making payment to another person of interest, rent, salaries,
13 wages, except as provided by subsection (b) of section 63-3035, Idaho
14 Code, and section 63-3036, Idaho Code, premiums, annuities, compensation,
15 remunerations, emoluments, payments to subcontractors, other fixed
16 or determinable gains, profits and income, or corporate liquidation
17 distributions shall make returns to the state tax commission setting forth
18 the amount of such gains, profits and income, and the name and address
19 of the recipient of such payment. Such returns shall correspond to the
20 requirements of the Internal Revenue Code, but shall be filed with the state
21 tax commission on or before the last day of February of the year following the
22 year to which the return relates.

23 (b) The state tax commission may, by ~~regulation,~~ rule:

24 (1) Excuse the filing of any returns required by subsection (a) of this
25 section when it finds that the returns required of any class or group of
26 persons do not contribute to the efficient administration of the taxes
27 imposed by this chapter.

28 (2) When necessary for the efficient administration of this section,
29 set a different due date for the returns required by this section,
30 provided however, such date shall not be earlier than the date required
31 by the Internal Revenue Code for filing equivalent federal returns in a
32 nonelectronic format.

33 (c) The commission may prescribe rules providing standards consistent
34 with section 63-115, Idaho Code, for determining which returns must be
35 transmitted electronically. The commission may not require any person to
36 transmit returns electronically unless such person is required to report on
37 the return at least two hundred fifty (250) annual information returns. In
38 promulgating such rules, the commission shall take into account, among other
39 relevant factors, the ability of the taxpayer to comply, at a reasonable
40 cost, with the requirements of such rules.