

1998 Legislative Changes Affecting the Confidentiality of Returns and Return Information

PURPOSE

This Special Notice summarizes the legislation that affects the confidentiality of tax returns and tax return information during the 1998 Session of the Connecticut General Assembly.

EFFECTIVE DATE: June 8, 1998.

STATUTORY AUTHORITY

Conn. Gen. Stat. §12-15, as amended by 1995 Conn. Pub. Acts 23, as amended by 1998 Conn. Pub. Acts 244. §1.

CATEGORY OF PERSONS SUBJECT TO PROSECUTION FOR UNLAWFUL DISCLOSURE OF TAX RETURNS OR TAX RETURN INFORMATION

Effective June 8, 1998, “inspection” (e.g., “browsing”) of tax returns and tax return information by Department employees or employees of any Connecticut or federal agency, including any former state officer or state employee, who has or had access to returns or return information (except those employees whose official duties require such inspection for tax administration purposes), **any current or former** officer or employee of **any** contractor, whether the contractor was involved in the processing, storage, transmission, or reproduction of returns or return information, the programming, maintenance, repair, testing, or procurement of equipment, **or the providing of any other service**, for purposes of tax administration, is now subject to the same penalties that previously applied only to “disclosure.”

Unauthorized disclosure or inspection of state tax return and return information is subject to a penalty of not more than \$1,000 or imprisonment of not more than one year, or both.

Formerly, any state officer or state employee, including any former state officer or state employee, who has or had access to returns or return information was subject to a fine (of not more than \$1,000) or imprisonment (of not more than one year), or both, if such person unlawfully disclosed tax returns or tax return information.

DISCLOSURE OF TAX RETURNS OR TAX RETURN INFORMATION TO FEDERAL AGENCIES

Effective June 8, 1998, the Commissioner of Revenue Services is authorized to disclose, upon written request of the agency head of a federal agency, returns or return information to such federal agency, when required in the course of duty or when there is reasonable cause to believe that any federal law is being violated.

DISCLOSURE OF TAX RETURNS OR TAX RETURN INFORMATION TO OTHER STATE AGENCIES OR OFFICES, POLITICAL SUBDIVISIONS OF OTHER STATES, OR CANADIAN PROVINCES (OR THEIR POLITICAL SUBDIVISIONS)

The Commissioner may refuse to open to inspection or disclosure to any person, any returns or return information made available to the Commissioner by any tax officer of another state, a Canadian province or political subdivision of such other state or province or of the District of Columbia or by any officer of the United States Treasury Department or the United States Department of Health and Human Services in

accordance with a written agreement between this state and such other state, province, political subdivision, the District of Columbia or department, respectively, which agreement provides that the disclosure of such returns or return information by the Commissioner is prohibited.

INFORMATION PROVIDED TO CONNECTICUT MUNICIPALITIES

Effective June 8, 1998, real estate conveyance tax information and controlling interest transfer tax information can be disclosed to the town clerk or an authorized representative of the chief executive officer of a Connecticut municipality. (Under prior law, such information could be disclosed only to the chief executive officer of a Connecticut municipality.)

1998 Conn. Public Act 244, §1, allows information which can include a list of real or personal property that is or may be subject to property taxes and the list of persons whose address is in a municipality and who have been issued a license, permit or certificate required by law to be conspicuously displayed, to be disclosed to the assessor or an authorized representative of the chief executive officer of a Connecticut municipality. (Under prior law, such information could be disclosed only to the chief executive officer of a Connecticut municipality.)

EFFECT ON OTHER DOCUMENTS

None affected. However, see SN 95(12), *1995 Legislative Changes Affecting the Confidentiality of Returns and Return Information*.

SN 99(2)
All Taxes
Issued 2/10/99

EFFECT OF THIS DOCUMENT

A Special Notice is a document that announces a new policy or practice in response to changes in State or federal laws or regulations or to judicial decisions. A Special Notice indicates the Department's informal interpretation of Connecticut tax law and may be referred to for general guidance by taxpayers or tax practitioners.

FOR FURTHER INFORMATION

Please call the Department of Revenue Services during business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday:

- **1-800-382-9463** (instate), or
 - **860-297-5962** (anywhere).
 - **TTY, TDD and Text Telephone users only** may transmit inquiries 24 hours a day, seven days a week by calling 860-297-4911.
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FORMS AND PUBLICATIONS

Forms and publications are available all day, 24 hours a day, seven days a week:

- **Internet:** preview and download forms and publications from the DRS web site: <http://www.state.ct.us/drs>;
- **DRS TAX-FAX:** call **860-297-5698** from the handset attached to your fax machine and select from the menu; or
- **Telephone:** Call **1-800-382-9463** (instate), or **860-297-5962** (anywhere) and select **Option 2** from a touch-tone phone.