

S.B. 3002

**ACCESS TO INFORMATION GAINED BY THE STATE TAX COMMISSION FROM
A RETURN**

HOUSE FLOOR AMENDMENTS

AMENDMENT 2

MAY 24, 2006 6:22 PM

Representative **LaVar Christensen** proposes the following amendments:

1. Page 6, Lines 164 through 171
Senate 2nd Reading Amendments
5-24-2006:

164 (ii) Notwithstanding Subsection (1) and except as provided in Subsection (3)(q)(iii),
165 the commission shall ~~{ at the request of an office }~~ provide to ~~{ the }~~ an office all information
S→ :

165a (A) ←S gained by the
166 commission S→ ~~[from]~~ ; ~~{ and }~~

166a (B) required to be attached to or included in ←S a return filed with the commission ~~{ }~~ ;
(C) if the office requests the information in writing for the limited purpose of providing:
(I) information to assist the legislative process; and
(II) (Aa) a fiscal estimate;
(Bb) fiscal note information; or
(Cc) statistical information; and
(D) for:
(I) a particular:
(Aa) time period specified by the office; and
(Bb) tax, fee, or charge specified by the office; and
(II) all persons that are required to file a return relating to the particular:
(Aa) time period specified by the office in accordance with Subsection (3)(q)(ii)(D)(I)(Aa); and
(Bb) tax, fee, or charge specified by the office in accordance with Subsection (3)(q)(ii)(D)(I)(Bb).

167 (iii) (A) The commission may not provide to an office a person's:
168 ~~{ (A) }~~ (I) address;
169 ~~{ (B) }~~ (II) name;
170 ~~{ (C) }~~ (III) Social Security number; or
171 ~~{ (D) }~~ (IV) taxpayer identification number.
(B) The commission shall in all instances protect the privacy of a person as required by
Subsection (3)(q)(iii)(A).

2. *Page 6, Line 179 through Page 7, Line 184*
Senate 2nd Reading Amendments
5-24-2006:

179 (v) (A) A person may not request information from an office under Title 63, Chapter 2,
180 Government Records Access and Management Act, or this section, if that office received the
181 information from the commission in accordance with this Subsection (3)(q).

182 (B) An office may not provide to a person that requests information in accordance with
183 Subsection (3)(q)(v)(A) any information other than the information the office provides in
184 accordance with Subsection (3)(q)(iv).

(vi) An office may not request from the commission a person's:

(A) address;

(B) name;

(C) Social Security number; or

(D) taxpayer identification number.

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3. *Page 7, Lines 192 through 197:*

192 (c) Notwithstanding Subsection (5)(a) or (b), a person that requests information in
193 accordance with Subsection (3)(q)(v):

194 (i) is not guilty of a class A misdemeanor; and

195 (ii) is not subject to:

196 (A) dismissal from office in accordance with Subsection (5)(b); or

197 (B) disqualification from holding public office in accordance with Subsection (5)(b).

(d) Notwithstanding Subsection (5)(a) or (b), an office that requests information in accordance with
Subsection (3)(q)(vi):

(i) is not guilty of a class A misdemeanor; and

(ii) is not subject to:

(A) dismissal from office in accordance with Subsection (5)(b); or

(B) disqualification from holding public office in accordance with Subsection (5)(b).