

HR 5719

Taxpayer Assistance and Simplification Act of 2008

Congress: 110 (2007–2009, Ended)

Chamber: House

Policy Area: Taxation

Introduced: Apr 8, 2008

Current Status: Received in the Senate and Read twice and referred to the Committee on Finance.

Latest Action: Received in the Senate and Read twice and referred to the Committee on Finance. (Apr 16, 2008)

Official Text: <https://www.congress.gov/bill/110th-congress/house-bill/5719>

Sponsor

Name: Rep. Rangel, Charles B. [D-NY-15]

Party: Democratic • State: NY • Chamber: House

Cosponsors (17 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Berkley, Shelley [D-NV-1]	D · NV		Apr 8, 2008
Rep. Blumenauer, Earl [D-OR-3]	D · OR		Apr 8, 2008
Rep. Crowley, Joseph [D-NY-7]	D · NY		Apr 8, 2008
Rep. Ellison, Keith [D-MN-5]	D · MN		Apr 8, 2008
Rep. Emanuel, Rahm [D-IL-5]	D · IL		Apr 8, 2008
Rep. Giffords, Gabrielle [D-AZ-8]	D · AZ		Apr 8, 2008
Rep. Hall, John J. [D-NY-19]	D · NY		Apr 8, 2008
Rep. Jones, Stephanie Tubbs [D-OH-11]	D · OH		Apr 8, 2008
Rep. Kind, Ron [D-WI-3]	D · WI		Apr 8, 2008
Rep. Lewis, John [D-GA-5]	D · GA		Apr 8, 2008
Rep. Mahoney, Tim [D-FL-16]	D · FL		Apr 8, 2008
Rep. McDermott, Jim [D-WA-7]	D · WA		Apr 8, 2008
Rep. Meek, Kendrick B. [D-FL-17]	D · FL		Apr 8, 2008
Rep. Pomeroy, Earl [D-ND-At Large]	D · ND		Apr 8, 2008
Rep. Walz, Timothy J. [D-MN-1]	D · MN		Apr 8, 2008
Rep. Welch, Peter [D-VT-At Large]	D · VT		Apr 8, 2008
Rep. Cummings, Elijah E. [D-MD-7]	D · MD		Apr 14, 2008

Committee Activity

Committee	Chamber	Activity	Date
Finance Committee	Senate	Referred To	Apr 16, 2008
Ways and Means Committee	House	Reported By	Apr 14, 2008

Subjects & Policy Tags

Policy Area:

Taxation

Related Bills

Bill	Relationship	Last Action
110 HRES 1102	Procedurally related	Apr 15, 2008: Motion to reconsider laid on the table Agreed to without objection.
110 S 2851	Related bill	Apr 14, 2008: Read twice and referred to the Committee on Finance.
110 HR 5703	Related bill	Apr 3, 2008: Referred to the House Committee on Ways and Means.
110 HR 4318	Related bill	Dec 6, 2007: Referred to the House Committee on Ways and Means.

Taxpayer Assistance and Simplification Act of 2008 - (Sec. 2) Amends the Internal Revenue Code to modify the standards for imposing penalties on tax return preparers for understatements of tax to require: (1) substantial authority for a position with respect to an item on a tax return if such position was not disclosed with the return; and (2) a reasonable basis for a position that was disclosed with the return.

Requires tax return preparers to have a reasonable belief that a position with respect to a tax shelter or a reportable transaction (a transaction having a potential for tax avoidance or evasion) will more likely than not be sustained on its merits.

(Sec. 3) Removes certain limitations on the tax deduction for employee use of cellular telephones.

(Sec. 4) Delays until 2012 the 3% withholding requirement on government payments to contractors providing goods and services.

(Sec. 5) Exempts recipients of home care services under federally-assisted state or local government home care programs for the elderly or disabled from payment of employment taxes for amounts paid to service providers. Imposes liability for payment of such taxes on the fiscal administrators of such programs.

(Sec. 6) Allows officers and employees of the Department of the Treasury to refer taxpayers for advice and assistance to federally-funded low-income taxpayer clinics.

(Sec. 7) Authorizes the Secretary of the Treasury to make grants to provide matching funds for volunteer income tax assistance programs. Increases to \$10 million the annual amount the Secretary may allocate for grants to such programs.

(Sec. 8) Requires the Secretary to provide taxpayers with annual written notices of eligibility for the earned income tax credit.

(Sec. 9) Prohibits the Secretary from providing a debt indicator (notice of a tax refund offset) to businesses that provide refund anticipation loans and engage in predatory business practices with respect to such loans.

(Sec. 10) Directs the Secretary to conduct a feasibility study for delivering tax refunds on debit cards, prepaid cards, and other electronic means to facilitate refunds to individuals who do not have bank accounts.

(Sec. 11) Extends from nine months to two years the period in which the Internal Revenue Service (IRS) may return property that has been wrongfully levied and for bringing a civil action for a wrongful levy.

(Sec. 12) Allows taxpayers to recontribute to their individual retirement accounts (IRAs), without penalty or limitation, amounts that were wrongfully levied by the IRS. Requires the IRS to pay interest on IRA amounts that were wrongfully seized.

(Sec. 13) Requires the Secretary to notify a taxpayer of: (1) any unauthorized use of such taxpayer's identity (suspected identity theft) which the Secretary uncovers during a tax investigation; and (2) any criminal charges brought against an individual who is using the identity of such taxpayer.

(Sec. 14) Repeals the authority of the IRS to enter into private debt collection contracts. Exempts contracts entered into

before March 1, 2008, that are not renewed or extended after such date. Nullifies any contract entered into, extended, or renewed on or after such date.

(Sec. 15) Allows the IRS to use any means of mass communication (e.g., the Internet) to publish unclaimed tax refund amounts.

(Sec. 16) Expands the prohibitions against the misuse of Department of the Treasury names and symbols to the use of such names and symbols on an Internet domain address.

(Sec. 17) Sets forth a substantiation requirement for payments from a health savings account. Requires the trustee of a health savings account to report to the Secretary and the account beneficiary any unsubstantiated amount paid from an account for the preceding calendar year.

(Sec. 18) Amends the Internal Revenue Code and title II (Old Age, Survivors, and Disability Insurance Benefits) of the Social Security Act to treat certain foreign subsidiaries of U.S. companies performing services under a contract with the U.S. government as U.S. employers for purposes of Social Security and Medicare employment taxes.

(Sec. 19) Amends the Tax Increase Prevention and Reconciliation Act of 2005 to increase estimated tax payments for certain large corporations in the third quarter of 2013.

(Sec. 20) Directs the Comptroller General to study and report to Congress on the use of distributions from health savings accounts.

Actions Timeline

- **Apr 16, 2008:** Received in the Senate and Read twice and referred to the Committee on Finance.
- **Apr 15, 2008:** Rule H. Res. 1102 passed House.
- **Apr 15, 2008:** Considered under the provisions of rule H. Res. 1102. (consideration: CR H2307-2322)
- **Apr 15, 2008:** Rule provides for consideration of H.R. 5719 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Bill is closed to amendments. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted.
- **Apr 15, 2008:** DEBATE - The House proceeded with one hour of debate on H.R. 5719.
- **Apr 15, 2008:** The previous question was ordered pursuant to the rule. (consideration: CR H2319)
- **Apr 15, 2008:** Mr. Herger moved to recommit with instructions to Ways and Means. (consideration: CR H2319-2321; text: CR H2319)
- **Apr 15, 2008:** DEBATE - The House proceeded with ten minutes of debate on the Herger motion to recommit with instructions. The instructions contained in the motion seek to add language to deny tax exempt interest with respect to bonds of sanctuary states and cities.
- **Apr 15, 2008:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR H2320)
- **Apr 15, 2008:** On motion to recommit with instructions Failed by the Yeas and Nays: 210 - 210 (Roll no. 189).
- **Apr 15, 2008:** Passed/agreed to in House: On passage Passed by recorded vote: 238 - 179 (Roll no. 190).(text: CR H2307-2310)
- **Apr 15, 2008:** On passage Passed by recorded vote: 238 - 179 (Roll no. 190). (text: CR H2307-2310)
- **Apr 15, 2008:** Motion to reconsider laid on the table Agreed to without objection.
- **Apr 14, 2008:** Reported (Amended) by the Committee on Ways and Means. H. Rept. 110-584, Part I.
- **Apr 14, 2008:** Placed on the Union Calendar, Calendar No. 362.
- **Apr 14, 2008:** Rules Committee Resolution H. Res. 1102 Reported to House. Rule provides for consideration of H.R. 5719 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Bill is closed to amendments. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted.
- **Apr 14, 2008:** Supplemental report filed by the Committee on Ways and Means, H. Rept. 110-584, Part II.
- **Apr 9, 2008:** Committee Consideration and Mark-up Session Held.
- **Apr 9, 2008:** Ordered to be Reported (Amended) by the Yeas and Nays: 23 - 17.
- **Apr 8, 2008:** Introduced in House
- **Apr 8, 2008:** Referred to the House Committee on Ways and Means.