

S 2145

Fair Playing Field Act of 2012

Congress: 112 (2011–2013, Ended)

Chamber: Senate

Policy Area: Taxation

Introduced: Mar 1, 2012

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

Latest Action: Read twice and referred to the Committee on Finance. (Mar 1, 2012)

Official Text: <https://www.congress.gov/bill/112th-congress/senate-bill/2145>

Sponsor

Name: Sen. Kerry, John F. [D-MA]

Party: Democratic • **State:** MA • **Chamber:** Senate

Cosponsors (9 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Akaka, Daniel K. [D-HI]	D · HI		Mar 1, 2012
Sen. Blumenthal, Richard [D-CT]	D · CT		Mar 1, 2012
Sen. Boxer, Barbara [D-CA]	D · CA		Mar 1, 2012
Sen. Brown, Sherrod [D-OH]	D · OH		Mar 1, 2012
Sen. Durbin, Richard J. [D-IL]	D · IL		Mar 1, 2012
Sen. Franken, Al [D-MN]	D · MN		Mar 1, 2012
Sen. Leahy, Patrick J. [D-VT]	D · VT		Mar 1, 2012
Sen. Murray, Patty [D-WA]	D · WA		Mar 1, 2012
Sen. Cardin, Benjamin L. [D-MD]	D · MD		Mar 13, 2012

Committee Activity

Committee	Chamber	Activity	Date
Finance Committee	Senate	Referred To	Mar 1, 2012

Subjects & Policy Tags

Policy Area:

Taxation

Related Bills

Bill	Relationship	Last Action
112 HR 6653	Related bill	Dec 12, 2012: Referred to the House Committee on Ways and Means.
112 HR 5727	Related bill	Jun 4, 2012: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
112 S 2252	Related bill	Mar 29, 2012: Read twice and referred to the Committee on Finance.
112 HR 4123	Identical bill	Mar 1, 2012: Referred to the House Committee on Ways and Means.

Fair Playing Field Act of 2012 - Amends the Internal Revenue Code, with respect to the classification of workers for employment tax purposes, to: (1) repeal the prohibition against issuance of regulations and guidance by the Secretary of the Treasury on workers' employment tax status (i.e., as an employee or as an independent contractor) enacted by the Revenue Act of 1978; (2) direct the Secretary to issue regulations and other guidance to clarify the proper employment status of workers for employment tax purposes; (3) prohibit a retroactive assessment of employment tax, except with respect to certain skilled workers, for tax periods after December 31, 1978, and before a specified reclassification date for worker misclassifications, unless the taxpayer had no reasonable basis for not treating a worker as an employee; (4) require taxpayers who hire independent contractors on a regular and ongoing basis to provide such contractors with notice of their federal tax obligations, the labor and employment law protections that do not apply to them, and their right to seek a status determination from the Internal Revenue Service (IRS); and (5) eliminate reduced penalty provisions for failure to withhold income taxes for taxpayers who lack a reasonable basis for treating a worker as other than an employee (i.e., as an independent contractor).

Provides that for purposes of determining whether a registered representative of a securities broker-dealer is an employee for employment tax purposes, no weight shall be given to instructions from a service recipient which are imposed only in compliance with investor protection standards. Makes this rule applicable to services performed by a broker-dealer after December 31, 1997.

Actions Timeline

- **Mar 1, 2012:** Introduced in Senate
- **Mar 1, 2012:** Read twice and referred to the Committee on Finance.