

S 3355

Taxpayer Bill of Rights Act of 2012

Congress: 112 (2011–2013, Ended)

Chamber: Senate

Policy Area: Taxation

Introduced: Jun 28, 2012

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

Latest Action: Read twice and referred to the Committee on Finance. (Jun 28, 2012)

Official Text: <https://www.congress.gov/bill/112th-congress/senate-bill/3355>

Sponsor

Name: Sen. Bingaman, Jeff [D-NM]

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

Cosponsors (9 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Akaka, Daniel K. [D-HI]	D · HI		Jun 28, 2012
Sen. Brown, Sherrod [D-OH]	D · OH		Jun 28, 2012
Sen. Durbin, Richard J. [D-IL]	D · IL		Jun 28, 2012
Sen. Kerry, John F. [D-MA]	D · MA		Jun 28, 2012
Sen. Lieberman, Joseph I. [ID-CT]	ID · CT		Jun 28, 2012
Sen. Menendez, Robert [D-NJ]	D · NJ		Jun 28, 2012
Sen. Pryor, Mark L. [D-AR]	D · AR		Jun 28, 2012
Sen. Udall, Tom [D-NM]	D · NM		Jun 28, 2012
Sen. Carper, Thomas R. [D-DE]	D · DE		Jul 9, 2012

Committee Activity

Committee	Chamber	Activity	Date
Finance Committee	Senate	Referred To	Jun 28, 2012

Subjects & Policy Tags

Policy Area:

Taxation

Related Bills

Bill	Relationship	Last Action
112 HR 6050	Identical bill	Oct 1, 2012: Referred to the Subcommittee on Financial Institutions and Consumer Credit.

Taxpayer Bill of Rights Act of 2012 - Amends the Internal Revenue Code to require the Secretary of the Treasury, in consultation with the National Taxpayer Advocate, to publish a summary statement of taxpayer rights and obligations.

Authorizes the Secretary to make grants to develop, expand, or continue volunteer income tax assistance programs to assist low-income taxpayers. Allows tax preparation program grant recipients to use grant funds to provide services related to financial literacy, asset development, and the establishment of savings accounts.

Increases the grant funding for low-income taxpayer clinics.

Requires the Secretary to: (1) prescribe regulations for the regulation of tax return preparers not otherwise regulated and to regulate the conduct of enrolled agents in their practice before the Internal Revenue Service (IRS); (2) require the annual registration of refund delivery product facilitators; and (3) furnish to the public the identity of any person who is an enrolled agent, attorney, or certified public accountant on file with the IRS, who is a tax return preparer, or who is registered as a refund delivery product facilitator.

Applies the penalty for understatements of taxpayer liability by tax return preparers to tax submissions other than tax returns or claims for refunds.

Prohibits the Secretary from filing a notice of lien with respect to any taxpayer unless: (1) the lien attaches to distrainable property, (2) the Secretary determines that the benefit to the government of filing outweighs the harm to the taxpayer and that the filing will not jeopardize the taxpayer's ability to comply with the internal revenue laws and to continue to secure funding to maintain business operations, (3) the Secretary notifies the taxpayer that the Secretary has determined to file such notice, and (4) the taxpayer is afforded an opportunity to appeal that determination. Requires the Secretary to consider specified factors in making such determination, including the amount due, the value of the taxpayer's equity in or rights to property, the taxpayer's compliance history, and the effect of the lien filing on the taxpayer's ability to obtain financing, generate future income, and pay current and future tax liabilities.

Prohibits persons licensed to practice before the Department of the Treasury from directly or indirectly offering or providing audit insurance.

Authorizes the National Taxpayer Advocate to issue Taxpayer Advocate directives for granting relief to taxpayers.

Expresses the sense of Congress that the IRS should take specified steps within two years to improve service to taxpayers.

Authorizes the Secretary to: (1) award demonstration project grants to provide accounts in federally insured depository institutions to taxpayers who do not currently have an account with a financial institution; (2) study the feasibility of, and establish a pilot program on, delivering tax refunds on debit cards or other electronic means for taxpayers who do not have access to financial accounts or institutions; (3) identify legislative and administrative changes that would enable the IRS to receive and process information reporting documents before it processes tax returns; and (4) assess the effectiveness of collection alternatives, especially offers in compromise, on long-term tax compliance.

Requires de novo review in U.S. Tax Court of any determination by the IRS with respect to a claim for equitable innocent spouse relief.

Actions Timeline

- **Jun 28, 2012:** Introduced in Senate
- **Jun 28, 2012:** Read twice and referred to the Committee on Finance.