

---

SENATE BILL 5496

---

State of Washington

56th Legislature

1999 Regular Session

By Senators Brown, Finkbeiner and West; by request of Department of Revenue

Read first time 01/25/1999. Referred to Committee on Energy, Technology & Telecommunications.

1 AN ACT Relating to electronic filing of tax returns and  
2 remittances; amending RCW 82.32.080; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** It is the intent of the legislature to allow  
5 the department of revenue to increase its ability to provide timely and  
6 cost-effective service to taxpayers.

7 **Sec. 2.** RCW 82.32.080 and 1997 c 156 s 3 are each amended to read  
8 as follows:

9 Payment of the tax may be made by uncertified check under such  
10 regulations as the department shall prescribe, but, if a check so  
11 received is not paid by the bank on which it is drawn, the taxpayer, by  
12 whom such check is tendered, shall remain liable for payment of the tax  
13 and for all legal penalties, the same as if such check had not been  
14 tendered.

15 Payment of the tax shall be made by electronic funds transfer, as  
16 defined in RCW 82.32.085, if the amount of the tax due in a calendar  
17 year is one million eight hundred thousand dollars or more. The  
18 department may by rule provide for tax thresholds between two hundred

1 forty thousand dollars and one million eight hundred thousand dollars  
2 for mandatory use of electronic funds transfer. All taxes administered  
3 by this chapter are subject to this requirement except the taxes  
4 authorized by chapters 82.14A, 82.14B, 82.24, 82.27, 82.29A, and 84.33  
5 RCW. It is the intent of this section to require electronic funds  
6 transfer for those taxes reported on the department's combined excise  
7 tax return or any successor return.

8 A return or remittance which is transmitted to the department by  
9 United States mail shall be deemed filed or received on the date shown  
10 by the post office cancellation mark stamped upon the envelope  
11 containing it, except as otherwise provided in this chapter. The  
12 department is authorized to allow electronic filing of returns or  
13 remittances from any taxpayer. A return or remittance which is  
14 transmitted to the department electronically shall be deemed filed or  
15 received according to procedures set forth by the department.

16 The department, for good cause shown, may extend the time for  
17 making and filing any return, and may grant such reasonable additional  
18 time within which to make and file returns as it may deem proper, but  
19 any permanent extension granting the taxpayer a reporting date without  
20 penalty more than ten days beyond the due date, and any extension in  
21 excess of thirty days shall be conditional on deposit with the  
22 department of an amount to be determined by the department which shall  
23 be approximately equal to the estimated tax liability for the reporting  
24 period or periods for which the extension is granted. In the case of  
25 a permanent extension or a temporary extension of more than thirty days  
26 the deposit shall be deposited within the state treasury with other tax  
27 funds and a credit recorded to the taxpayer's account which may be  
28 applied to taxpayer's liability upon cancellation of the permanent  
29 extension or upon reporting of the tax liability where an extension of  
30 more than thirty days has been granted.

31 The department shall review the requirement for deposit at least  
32 annually and may require a change in the amount of the deposit required  
33 when it believes that such amount does not approximate the tax  
34 liability for the reporting period or periods for which the extension  
35 is granted.

36 The department shall keep full and accurate records of all funds  
37 received and disbursed by it. Subject to the provisions of RCW  
38 82.32.105 and 82.32.350, the department shall apply the payment of the

1 taxpayer first against penalties and interest, and then upon the tax,  
2 without regard to any direction of the taxpayer.

3       The department may refuse to accept any return which is not  
4 accompanied by a remittance of the tax shown to be due thereon. When  
5 such return is not accepted, the taxpayer shall be deemed to have  
6 failed or refused to file a return and shall be subject to the  
7 procedures provided in RCW 82.32.100 and to the penalties provided in  
8 RCW 82.32.090. The above authority to refuse to accept a return shall  
9 not apply when a return is timely filed and a timely payment has been  
10 made by electronic funds transfer.

--- END ---