

111TH CONGRESS
2D SESSION

H. R. 5036

To amend the Internal Revenue Code of 1986 to establish a program to populate downloadable tax forms with taxpayer return information.

IN THE HOUSE OF REPRESENTATIVES

APRIL 15, 2010

Mr. FOSTER (for himself and Mr. QUIGLEY) introduced the following bill;
which was referred to the Committee on Ways and Means

A BILL

To amend the Internal Revenue Code of 1986 to establish a program to populate downloadable tax forms with taxpayer return information.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Autofill Act of 2010”.

5 **SEC. 2. AUTOMATED PARTIALLY PRE-POPULATED TAX RE-**
6 **URNS.**

7 (a) IN GENERAL.—Chapter 77 of the Internal Rev-
8 enue Code of 1986 (relating to miscellaneous provisions)
9 is amended by adding at the end the following new section:

1 **“SEC. 7529. AUTOMATED PARTIALLY PRE-POPULATED TAX**
2 **RETURNS.**

3 “(a) ESTABLISHMENT OF PROGRAM.—The Secretary
4 shall establish a program under which taxpayers may
5 download forms relating to the individual income tax re-
6 turns that are populated with return information reported
7 to the Secretary under chapter 61 and reported to the Sec-
8 retary pursuant to section 232 of the Social Security Act.

9 “(b) REQUIREMENTS RELATING TO INFORMATION.—
10 “(1) DEADLINE FOR MAKING INFORMATION
11 AVAILABLE.—The Secretary shall make such return
12 information available under the program established
13 under subsection (a) not later than 15 days after the
14 Secretary receives such information.

15 “(2) FORMAT OF INFORMATION MADE AVAIL-
16 ABLE.—Return information shall be made available
17 under the program established under subsection (a)
18 in both a printable document file suitable for manual
19 completion and filing and in a computer-readable
20 form suitable for use by automated tax preparation
21 software.

22 “(c) AUTOFILL SERVICE DEADLINES.—

23 “(1) STANDARDS.—Not later than October 31,
24 2010, the Secretary shall—

25 “(A) establish standards for data download
26 to tax preparation software, and

1 “(B) provide a demonstration server for
2 downloading the partially populated printable
3 document file.

4 “(2) TAX FORMS.—Not later than February 15,
5 2011, and annually thereafter, the Secretary shall
6 provide on the Secretary’s Web site a secure func-
7 tion that allows a taxpayer to download, as both a
8 printable document file and in a form suitable for
9 input to automatic tax preparation software, the
10 1040, 1040A, and 1040EZ forms that are populated
11 with information with respect to the taxpayer that is
12 reported under chapter 61 or any other provision of
13 this title under which reporting of information is re-
14 quired.

15 “(d) TAXPAYER RESPONSIBILITY.—Nothing in this
16 section shall be construed to absolve the taxpayer from
17 full responsibility for the accuracy or completeness of his
18 return of tax.

19 “(e) DISCLAIMER.—Before any form can be
20 downloaded under the program established under sub-
21 section (a), taxpayer must acknowledge that—

22 “(1) the taxpayer is responsible for the accu-
23 racy of his return, and

1 “(2) all information provided in the
2 downloadable form under such program needs to be
3 verified.

4 “(f) INFORMATION PROVIDED FOR WAGE AND SELF-
5 EMPLOYMENT INCOME.—For purposes of subsection
6 (a)—

7 “(1) INFORMATION RELATED TO CALENDAR
8 YEAR 2010.—In the case of information relating to
9 wages paid, and amounts of self-employment income,
10 for calendar year 2010 required to be provided to
11 the Commissioner of Social Security under section
12 205(c)(2)(A) of the Social Security Act (42 U.S.C.
13 405(c)(2)(A)), the Commissioner shall, using best ef-
14 forts, make such information available to the Sec-
15 retary not later than January 31, 2011.

16 “(2) INFORMATION RELATED TO CALENDAR
17 YEAR 2011 AND THEREAFTER.—In the case of infor-
18 mation relating to wages paid, and amounts of self-
19 employment income, for any calendar year after
20 2010 required to be provided to the Commissioner of
21 Social Security under section 205(c)(2)(A) of the
22 Social Security Act (42 U.S.C. 405(c)(2)(A)), the
23 Commissioner shall make such information available
24 to the Secretary not later than the January 31 of
25 the calendar year following the calendar year to

1 which such wages and self-employment income re-
2 late.”.

3 (b) FILING DEADLINE FOR INFORMATION RE-
4 TURNS.—Subsection (b) of section 6071 of such Code is
5 amended to read as follows:

6 “(b) INFORMATION RETURNS.—Returns made under
7 part III of this subchapter shall be filed on or before Janu-
8 ary 31 of the year following the calendar year to which
9 such returns relate. Section 6081 shall not apply to re-
10 turns under such part III.”.

11 (c) CONFORMING AMENDMENT TO SOCIAL SECURITY
12 ACT.—Subparagraph (A) of section 205(c)(2) of the So-
13 cial Security Act (42 U.S.C. 405(c)(2)) is amended by
14 adding at the end the following new sentence: The table
15 of sections for chapter 77 of such Code is amended by
16 adding at the end the following new item: “For purposes
17 of the preceding sentence, the Commissioner shall require
18 that information relating to wages paid, and amounts of
19 self-employment income, be provided to the Commissioner
20 not later than January 31 of the year following the cal-
21 endar year to which such wages and self-employment in-
22 come relate.”

23 (d) CLERICAL AMENDMENT.—The table of sections
24 for chapter 77 of such Code is amended by adding at the
25 end the following new item:

“Sec. 7529. Automated partially pre-populated tax returns.”.

1 (e) EFFECTIVE DATE.—The amendments made by
2 this section shall apply to returns for taxable years begin-
3 ning after December 31, 2009.

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