

HOUSE BILL 773

By Todd

AN ACT to amend Tennessee Code Annotated, Title 67,
Chapter 1, relative to revenue and letter rulings.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 67-1-109, is amended by deleting subsection (e) and substituting instead the following:

(1) Requests for revenue and letter rulings shall be submitted in the form and manner prescribed by rules issued by the commissioner.

(2) In order to assist the department in making the deletions of private and confidential materials and privileged financial and commercial information from the text of revenue and letter rulings and supporting information provided by the requestor to the department which might otherwise be open to public inspection, there must accompany requests for revenue and letter rulings and the submission of supporting information either a statement of the deletions proposed by the person requesting the revenue or letter ruling, or a statement that no information other than names, addresses, and taxpayer identification numbers needs to be deleted.

(3) Such statement shall be made in a separate document. The statement of proposed deletions should be accompanied by a copy of the request for a revenue or letter ruling and supporting documents, on which should be indicated, by the use of brackets, the material which the person making such request indicates should be deleted.

(4) The statement of proposed deletions should not appear or be referred to anywhere in the request for a revenue or letter ruling.

(5) If the person making the request decides to request additional deletions prior to the time the revenue or letter ruling is issued, additional statements may be submitted.

(6) Generally, prior to issuing the revenue or letter ruling, the department shall inform the person requesting such a ruling, orally or in writing, of the material likely to appear in the revenue or letter ruling which such person proposed be deleted but which the department determines should not be deleted. If so informed, the person requesting the revenue or letter ruling may submit within ten (10) business days any further information, arguments, or other material in support of the position that such material be deleted. The department will attempt, if feasible, to resolve all disagreements with respect to proposed deletions prior to the issuance of the revenue or letter ruling. However, in no event shall the person requesting the revenue or letter ruling have the right to a conference with respect to resolution of any disagreements concerning material to be deleted from the text of the revenue or letter ruling, but such matters may be considered at any conference otherwise scheduled with respect to the revenue or letter ruling.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.