

114TH CONGRESS
1ST SESSION

H. R. 1979

To strengthen the protections from levy by the Internal Revenue Service
for taxpayers in economic hardship.

IN THE HOUSE OF REPRESENTATIVES

APRIL 22, 2015

Mrs. WATSON COLEMAN (for herself, Ms. NORTON, Mr. MEEKS, and Mrs. LAWRENCE) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To strengthen the protections from levy by the Internal
Revenue Service for taxpayers in economic hardship.

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 “Taxpayer Economic
5 Hardship Protection Act of 2015”.

6 **SEC. 2. PROTECTION FROM LEVY FOR TAXPAYERS IN ECO-**
7 **NOMIC HARDSHIP.**

8 The Secretary of the Treasury (or the Secretary’s
9 delegate) shall take the following actions to protect tax-
10 payers in economic hardship from levy:

1 (1) Establish quality review procedures that
2 measure whether employees of the Internal Revenue
3 Service identified and considered the possibility that
4 a taxpayer was in economic hardship before levying.

5 (2) Establish quality review procedures that
6 measure whether, in each case in which an employee
7 of the Internal Revenue Service identifies economic
8 hardship of a taxpayer, the employee adhered to the
9 decision by the United States Tax Court entitled,
10 “Vinatieri against Commissioner” (133 T.C. 392
11 (2009)), by placing the account of the taxpayer in
12 a currently not collectible status rather than levying
13 on the taxpayer.

14 (3) Develop, and publish as part of the Internal
15 Revenue Manual, guidelines for how collection em-
16 ployees of the Internal Revenue Service, on the basis
17 of information in Internal Revenue Service and
18 third-party databases, should consider the possibility
19 that a taxpayer is in economic hardship before
20 issuing a levy.

21 (4) Adjust the Federal Payment Levy Program
22 low income filter to include accounts with unfiled re-
23 turns.

24 (5) Inform collection employees of the Internal
25 Revenue Service of procedural changes described in

1 the preceding paragraphs by issuing a separate alert
2 and a memorandum.

3 (6) Update training materials and job aids to
4 reflect the decision of the United States Tax Court
5 entitled, “Vinatieri against Commissioner” (133
6 T.C. 392 (2009)) and the changes to the Internal
7 Revenue Manual made in 2013 relating to liability
8 collection (part 5, chapter 19) and notice of levy
9 (part 5, chapter 11).

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