

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5063

To amend the Internal Revenue Code of 1986 to prohibit tax return preparers from requesting taxpayer consent to disclose or use return information.

---

## IN THE HOUSE OF REPRESENTATIVES

MARCH 30, 2006

Mr. EDWARDS 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 prohibit tax return preparers from requesting taxpayer consent to disclose or use 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 “Taxpayer Privacy Pro-  
5       tection Act of 2006”.

6       **SEC. 2. PROHIBITION ON REQUESTS BY TAX RETURN PRE-**  
7                               **PARERS FOR TAXPAYER CONSENT TO DIS-**  
8                               **CLOSE AND USE RETURN INFORMATION.**

9       (a) IN GENERAL.—Section 7216 of the Internal Rev-  
10       enue Code of 1986 (relating to disclosure or use of infor-

1 mation by preparers of returns) is amended by adding at  
2 the end the following new subsection:

3       “(c) PROHIBITION ON REQUESTS FOR TAXPAYER  
4 CONSENT.—A tax return preparer shall not request that  
5 the taxpayer consent to the disclosure or use of informa-  
6 tion described in subsection (a) (including by providing an  
7 unrequested form to the taxpayer which provides for such  
8 consent) and the regulations prescribed under subsection  
9 (b)(3) shall not permit the disclosure or use of such infor-  
10 mation on the basis of a consent obtained in response to  
11 such a request.”.

12       (b) CONFORMING AMENDMENTS.—

13           (1) Section 7216 of such Code, as amended by  
14 subsection (a), is further amended by inserting after  
15 subsection (c) the following new subsection:

16       “(d) TAX RETURN PREPARER.—For purposes of this  
17 section, the term ‘tax return preparer’ means any person  
18 who is engaged in the business of preparing, or providing  
19 services in connection with the preparation of, returns of  
20 the tax imposed by chapter 1, or any person who for com-  
21 pensation prepares any such return for any other per-  
22 son.”.

23           (2) Subsection (a) of section 7216 of such Code  
24 is amended by striking “person who is engaged in  
25 the business of preparing, or providing services in

1 connection with the preparation of, returns of the  
2 tax imposed by chapter 1, or any person who for  
3 compensation prepares any such return for any  
4 other person, and” and inserting “tax return pre-  
5 parer”.

6 (c) EFFECTIVE DATE.—The amendments made by  
7 this section shall apply to disclosures and uses after the  
8 date of the enactment of this Act.

○