

By Mr. Cawley, a petition of Robert L. Cawley for legislation to prohibit the disclosure of information obtained in the business of preparing income tax returns. Taxation.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Two.

AN ACT TO PROHIBIT THE DISCLOSURE OF INFORMATION OBTAINED
IN THE BUSINESS OF PREPARING INCOME TAX RETURNS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 62 of the General Laws is hereby amended by in-
2 serting after Section 58, the following Section: —

3 "Section 58A.

4 a) The disclosure by any person, including an individual,
5 firm, corporation, association, partnership, joint venture,
6 or any employee or agent thereof, of any information
7 obtained in the business of preparing federal or state income
8 tax returns or assisting taxpayers in preparing such returns
9 is prohibited, unless such disclosure is within any of the
10 following:

11 1) Consented to in writing by the taxpayer in a separate
12 document.

13 2) Expressly authorized by state or federal law.

14 3) Necessary to the preparation of the return.

15 4) Pursuant to court order.

16 b) For the purposes of this action, a person is engaged in
17 the business of preparing federal or state income tax returns
18 or assisting taxpayers in preparing such returns if he does
19 either of the following:

20 1) Advertises, or gives publicity to the effect that he
21 prepares or assists others in the preparation of state or
22 federal income tax returns.

23 2) Prepares or assists others in the preparation of state

- 24 or federal income tax returns for compensation.
- 25 c) Contacting a taxpayer to obtain his written consent to
- 26 disclosure does not constitute a violation of this section.
- 27 d) Any violation of this section shall be punishable by a
- 28 fine of not more than six months, or both, and by disquali-
- 29 fication from holding office in the commonwealth for such
- 30 period, not exceeding three years, as the court determines."