

115TH CONGRESS
1ST SESSION

H. R. 1077

To amend title 31, United States Code, to direct the Secretary of the Treasury to regulate tax return preparers.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 15, 2017

Mr. COHEN (for himself, Ms. NORTON, Mrs. CAROLYN B. MALONEY of New York, and Mr. SCOTT of Virginia) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend title 31, United States Code, to direct the Secretary of the Treasury to regulate tax return preparers.

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 “Tax Return Preparer
5 Accountability Act of 2017”.

1 **SEC. 2. REGULATION OF TAX RETURN PREPARERS WHO**
2 **ARE NOT REPRESENTATIVES PRACTICING**
3 **BEFORE THE DEPARTMENT OF THE TREAS-**
4 **URY.**

5 (a) IN GENERAL.—Subchapter II of chapter 3 of title
6 31, United States Code, is amended by inserting after sec-
7 tion 330 the following new section:

8 **“§ 330A. Tax return preparers who are not represent-**
9 **atives practicing before the Department**
10 **of the Treasury**

11 “(a) The Secretary of the Treasury shall, under regu-
12 lations prescribed by the Secretary, regulate any tax re-
13 turn preparers who are not regulated by the Secretary
14 under section 330.

15 “(b)(1) The Secretary may impose a penalty of
16 \$1,000 for each Federal tax return, document, or other
17 submission prepared by a tax return preparer during a
18 period in which the tax return preparer—

19 “(A) is not in compliance with the regulations
20 promulgated under this section, or

21 “(B) is suspended or disbarred from acting as
22 a tax return preparer under such regulations.

23 Any penalty imposed under the preceding sentence shall
24 be in addition to any other penalty which may be imposed.

1 “(2) No penalty may be imposed under paragraph (1)
 2 with respect to any failure if it is shown that such failure
 3 is due to reasonable cause.

4 “(c) For purposes of this section:

5 “(1) The term ‘tax return preparer’ has the
 6 meaning given by section 7701(a)(36) of the Inter-
 7 nal Revenue Code of 1986.

8 “(2) The terms ‘Secretary of the Treasury’ and
 9 ‘Secretary’ mean the Secretary of the Treasury or
 10 the delegate of the Secretary.”.

11 (b) CLERICAL AMENDMENT.—The table of sections
 12 for subchapter II of chapter 3 of title 31, United States
 13 Code, is amended by inserting after the item relating to
 14 section 330 the following new item:

“330A. Tax return preparers who are not representatives practicing before the
 Department of the Treasury.”.

15 (c) EFFECTIVE DATE.—The amendments made by
 16 this section shall apply with respect to returns prepared
 17 for taxable years ending after the date of the enactment
 18 of this Act.

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