

aspects of the state income tax structure. Expenses of the study committee shall be paid from funds available under section two point twelve (2.12) of the Code.

The study committee shall transmit copies of its final report to the governor and the members of the Sixty-eighth General Assembly, 1980 Session, not later than December 1, 1979. The final report shall include the study committee's findings and recommendations.

Sec. 13. The provisions of sections one (1) through seven (7) of this Act are retroactive to January 1, 1979 for tax years beginning on or after January 1, 1979.

Approved June 9, 1979

CHAPTER 94 TAXPAYERS INFORMATION REVEALED

H. F. 421

AN ACT to allow the director of revenue to provide information lawfully in his possession to tax officers of other states and the federal government and to receive information regarding taxpayers in this state from the other states and the federal government and to revise the confidentiality protections of the law.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section four hundred twenty-two point twenty (422.20), subsection one (1), Code 1979, is amended to read as follows:

1. It shall be unlawful for any present or former officer or employee of the state to divulge or to make known in any manner whatever not provided by law to any person the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth or disclosed in any income return, or to permit any income return or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person except as provided by law; and it shall be unlawful for any person to print or publish in any manner whatever not provided by law any income return, or any part thereof or source of income, profits, losses, or expenditures appearing in any income return; and any person committing an offense against the foregoing provision shall be guilty of a serious misdemeanor. If the offender is an officer or employee of the state, such person shall also be dismissed from office or discharged from employment. Nothing herein shall prohibit turning over to duly authorized officers of the United States or tax officials of other states state information and income returns pursuant to agreement between the director and the secretary of the treasury of the United States or the secretary's delegate or pursuant to a reciprocal agreement with another state.

Sec. 2. Section four hundred twenty-two point seventy-two (422.72), subsection one (1), Code 1979, is amended to read as follows:

1. It shall be unlawful for the director, or any person having an administrative duty under this chapter, or any present or former officer or other employee of the state authorized by the director to examine returns, to divulge or to make known in any manner whatever, the business affairs, operations, or information obtained by an investigation under this chapter of records and equipment of any person or corporation visited or examined in the discharge of official duty, or the amount or source of income, profits, losses, expenditures or any particular thereof, set forth or disclosed in any return, or to permit any return or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person except as provided by law, ~~provided, however, that~~. However, the director may authorize examination of such state returns and other state information which is confidential under this section, if a reciprocal arrangement exists, by tax officers of another state, or the federal government. The director may, by rules adopted pursuant to chapter seventeen A (17A) of the Code, authorize examination of state information and returns by other officers or employees of this state to the extent required by their official duties and responsibilities. Disclosure of state information to tax officers of another state shall be limited to those disclosures which have a tax administrative purpose and only to officers of those states which have laws that are as strict as the laws of this state protecting the confidentiality of such returns and information. The director shall place upon the state tax form a notice to the taxpayer that state tax information may be disclosed to tax officials of another state or of the United States for tax administrative purposes. The department shall not authorize the examination of tax information by officers and employees of this state, another state, or of the United States if the officers or employees would otherwise be required to obtain a judicial order to examine the information if it were to be obtained from another source, and if the purpose of the examination is other than for tax administration. Nothing in this subsection shall prevent the department from authorizing the examination of state returns and state information when provided under the provisions of section two hundred fifty-two B point nine (252B.9) of the Code. This subsection shall prevail over the provisions of any general law of this state relating to public records.

Sec. 3. This Act is effective January first following its enactment.

Approved June 6, 1979