

Revenue REVIEW

3rd Quarter
FY 2013
(April, May, June 2013)

A Quarterly Publication of the Alabama Department of Revenue

Magee Interviews

With Revenue's roles in the Alabama Accountability Act (AAA), the Online Insurance Verification Program (OIVS) and ONE SPOT, a web-based portal available to taxpayers to file all state and local sales tax liabilities at one convenient location, Commissioner Julie Magee has been flooded with interview requests from various media.

Following are photos from two recent interviews.



Commissioner Julie Magee interviewed with WSFA's Max Weiss and discussed the department's role in the Alabama Accountability Act.

Curtis Stewart Named to ERS Board

ADOR Deputy Commissioner Curtis E. Stewart was recently appointed by Gov. Robert Bentley to serve on the Employees Retirement System (ERS) Board of Control.

Stewart is one of three newly-appointed, long-term vested members of the ERS who will serve on the 13-member Board of Control.

Governor Bentley, who serves as chairman, State Treasurer Young Boozer, State Personnel Director Jackie Graham, and State Finance Director Bill Newton all serve as ex-officio members of the board. Completing the membership roster are three members who are appointed by the Governor, and six members who are



Commissioner Magee with Don Dailey, host of the Capitol Journal, Alabama Public Television, addressing ADOR's role in the AAA.

(Continued on Page 2)

Former State House Employee Convicted for Failure to File Tax Returns and Pay Income Taxes

Attorney General Luther Strange and State Revenue Commissioner Julie P. Magee recently announced the conviction July 2 of William Clay Covington, a former employee of the Alabama House of Representatives, for failure to file income tax returns and failure to pay income taxes.

Covington, 41, pled guilty July 2, 2013, before Judge William A. Shashy in Montgomery County Circuit Court to four

counts of Failure to File Tax Returns and one count of Failure to Pay Income Taxes. Prior to pleading guilty, Covington paid \$15,480.87 in restitution to the Department of Revenue for unpaid taxes, penalties, and interest.

The State's evidence against Covington included records showing that Covington earned \$237,620.40 in wages from the State of Alabama and \$277,000.00 in other

income from the Macon County Greyhound Park and the Jefferson County Racing Association from 2006 to 2011. The evidence also showed that Covington failed to pay state taxes on this income and he pleaded guilty to failing to pay income tax for the 2006 tax year. He also pleaded guilty to not filing a tax return for 2006, 2007, 2008, and 2009.

"This conviction is a reminder that failure to follow our tax laws will not be tolerated," said Attorney General Strange. "Our office will continue to work with the Department of Revenue to thoroughly investigate and prosecute these crimes, as well as seek to recover funds that are due to the public treasury."

"Although in some cases, discovery of noncompliance of Alabama's tax laws may not be immediate, I assure you, it is eventual," said State Revenue Commissioner Julie P. Magee. "No one wants to pay more taxes than are required, but it is not fair to the honest taxpaying citizens of our state to let others get away with avoiding taxes they rightly owe. It's criminal to misrepresent one's income to the state and evade taxes on that taxable income, regardless of from where it comes. The Department of Revenue remains committed to working with the Attorney General's office, as well as with all arms of our law enforcement community, to prosecute such offenses," said Magee.

Covington is set to be sentenced on August 7, when he faces a penalty of up to one year in jail and a fine of \$25,000 for each of the five counts of which he was convicted.

The Attorney General commended Deputy Attorney General Mike Duffy and Assistant Attorney General Bill Lisenby, Jr. of the Attorney General's Special Prosecutions Division, and Special Agent Madeline Lewis of the Alabama Department of Revenue's Investigations Division.

(Source: Attorney General's Office news release, July 2, 2013)

Stewart Named to ERS Board *(Continued from Page 1)*

elected: two by active state employees; two by local governmental employees; and one retired state employee and one retired local employee, by statewide vote of retired employees.

Established in 1945, the ERS membership includes all state employees, state police, and, on an elective basis, qualified persons of cities, towns, and quasi-public organizations.

At the end of last fiscal year, 29,548

state employees, 777 state policemen, and 53,844 local employees were active members of the ERS, in addition to well over 40,000 retired members and beneficiaries.

The Board of Control is responsible for overseeing the operations of the ERS and protecting the benefits provided to its members.

Deputy Commissioner Curtis Stewart is the first ADOR employee ever appointed to serve on the ERS Board of Control. His tenure of service on the ERS Board of Control will run through March 21, 2017.



ADOR Deputy Commissioner Curtis Stewart is sworn in by Gov. Robert Bentley as a member of the ERS Board of Control.

Meetings and Seminars

Motor Vehicle Auditors Attend Training Session



Field auditors in the Motor Vehicle Division attended a training session April 10 and 11. Shown (left to right) seated: Yolanda Wilkerson, Labrita McRae, Kimberly Mann, Wendy Carmack, Jimmy Tompkins; back row: Billy Phillips, Audit Manager, Amy Bright, Troy Thigpen, Penny Glass, Renee Kyser, Craig Bassett, Nathaniel Hicks, Allen Scarbrough, Jay Starling, Assistant Director.

Jefferson/Shelby TSC Reps Attend Business Workshop

Several New Business Workshop presenters from the Jefferson/Shelby Taxpayer Service Center participated in a special workshop presented by the Central Alabama Women's Business Center on May 7 at the Hoover Library. The workshop, entitled "Easy Tax Planning for Your Small Business," showed business owners how to set up a tax management program for their small companies.

ADOR representatives and their topics included: Jessica Pope, Sales and Use Tax, who explained sales and use tax reporting, penalties and interest resulting from nonreporting, and timeliness of filing for business tax forms and returns; Amelia McEachin, Individual and Corporate Tax, who explained the filing of small business tax forms with the impact on personal tax returns, highlighting her presentation with

"My Alabama Taxes." Other ADOR participants included Erica Smith, Sales and Use Tax; Pam Walker and Stephen Saunders, Individual and Corporate Tax.

Representatives from other organizations included: Octavia Kuransky, Central Alabama Women's Business Center; J. Matt Wilson, Alabama Small Business Development Center Network; and Candace Howard, small business owner.

IRS NEWS

Issue Number: IR-2013-47

May 8, 2013

Grant, Kay Named to IRS Leadership Posts

WASHINGTON — The Internal Revenue Service announced the selection of Joseph H. Grant as commissioner of the Tax Exempt and Government Entities Division and Sheldon Kay as Chief of Appeals.

“Joseph and Shelly are strong leaders who will provide strong leadership and continuity in these critical parts of the IRS,” said Steven T. Miller, Acting IRS Commissioner.

Grant has served as the TE/GE Deputy Director since 2007. As TE/GE Commissioner, Grant will oversee the administration of tax law relating to employee plans, tax-exempt organizations and various government entities. TE/GE serves approximately 3 million organizations.

Grant originally joined the IRS in August 2005 as director of the Employee Plans Rulings & Agreements division. Before that, he was Chief Operating Officer and a Deputy Executive Director of the Pension Benefit Guaranty Corporation (PBGC). Grant also served on the staff of the Oversight and Social Security subcommittees of the House Ways and Means Committee.

In Appeals, Kay will serve as the Chief after serving as the Deputy Chief of Appeals since his return to the IRS in May 2011.

Kay was formerly a member of the Sutherland’s Tax Practice Group, focusing on tax controversy issues, including IRS procedures, dispute resolutions and tax litigation matters. He also served as the IRS District Counsel for the Georgia District where he was the primary legal representative for the District Director, the Director of the Atlanta Service Center, and the Chiefs of Appeals, Collection, Criminal Investigation and Examination Divisions.

The mission of the IRS Appeals organization is to resolve tax controversies, without litigation, on a basis which is fair and impartial to both the government and the taxpayer. Appeals handles and resolves more than 100,000 taxpayer cases a year.

Issue Number: IR-2013-48

May 9, 2013

IRS, Australia and United Kingdom Engaged in Cooperative Effort to Combat Offshore Tax Evasion

WASHINGTON — The tax administrations from the United States, Australia and the United Kingdom announced a plan to share tax information involving a multitude of trusts and companies holding assets on behalf of residents in jurisdictions throughout the world.

The three nations have each acquired a substantial amount of data revealing extensive use of such entities organized in a number of jurisdictions including Singapore, the British Virgin Islands, Cayman Islands and the Cook Islands. The data contains both the identities of the individual owners of these entities, as well as the advisors who assisted in establishing the entity structure.

The IRS, Australian Tax Office and HM Revenue & Customs have been working together to analyze this data and have uncovered information that may be relevant to tax administrations of other jurisdictions. Thus, they have developed a plan for sharing the data, as well as their preliminary analysis, if requested by those other tax administrations.

“This is part of a wider effort by the IRS and other tax administrations to pursue international tax evasion,” said IRS Acting Commissioner Steven T. Miller. “Our cooperative work with the United Kingdom and Australia reflects a bigger goal of leaving no safe haven for people trying to illegally evade taxes.”

There is nothing illegal about holding assets through offshore entities; however,

such offshore arrangements are often used to avoid or evade tax liabilities on income represented by the principal or on the income generated by the underlying assets. In addition, advisors may be subject to civil penalties or criminal prosecution for promoting such arrangements as a means to avoid or evade tax liability or circumvent information reporting requirements.

It is expected that this multilateral cooperation and coordinated effort will allow many countries to efficiently process this information and effectively enforce any laws that may have been broken. Increasingly, tax administrations are working together in this way to assist one another in identifying non-compliance with the tax laws.

U.S. taxpayers holding assets through offshore entities are encouraged to review their tax obligations with respect to these holdings, seek professional advice if necessary, and to participate in the IRS Offshore Voluntary Disclosure Program where appropriate. Failure to do so may result in significant penalties and possibly criminal prosecution.

Issue Number: IR-2013-50

May 10, 2013

IRS Criminal Investigation Issues Fiscal 2012 Report

WASHINGTON — IRS Criminal Investigation (CI) released its Annual Report for fiscal 2012, highlighting strong gains in enforcement actions and penalties imposed on convicted tax criminals.

The 28-page report summarizes a wide variety of IRS CI activity on a range of tax related issues during the year ending Sept. 30, 2012. CI investigates potential criminal violations of the Internal Revenue Code and related financial crimes in a manner to foster confidence in the tax system and compliance with the law.

“The key to our successes is perseverance and dedication to working complex financial investigations aimed at stopping tax fraud, identity theft, offshore tax evasion, public corruption, money

laundering and other financial crimes,” said Richard Weber, Chief of Criminal Investigation.

Highlights of the report include:

Investigations initiated and prosecution recommendations were both up nearly 9 percent in fiscal 2012 compared to the prior year. Filings of indictments and other charging documents rose 13 percent. Meanwhile, convictions and those sentenced both gained roughly 12 percent from the prior year.

Criminal investigation initiations totaled 5,125 cases in fiscal 2012 while investigations completed were 4,937 – up 5 percent from fiscal 2011. Convictions totaled 2,634 in fiscal 2012 while the conviction rate edged up slightly to 93 percent.

“This annual report showcases some of the many significant cases that were completed by CI during fiscal year 2012 and the many program areas we cover as an organization. These cases are just a few examples of the thousands of investigations initiated by CI last year, as we continue to make our mark as the finest financial investigators in the world,” Weber said.

Issue Number: IR-2013-58

May 31, 2013

Spring 2013 Statistics of Income Bulletin Now Available

WASHINGTON — The Internal Revenue Service announced the availability of the spring 2013 issue of the Statistics of Income Bulletin, which features information on high-income individual income tax returns filed for tax year 2010.

Taxpayers filed almost 4.3 million returns with adjusted gross income of \$200,000 or more for 2010. These high-income returns represent about 3.0 percent of all returns filed for the tax year.

The Statistics of Income (SOI) Division produces the SOI Bulletin on a quarterly basis. Articles included in the publication provide the most recent data available from various tax and information returns filed by

U.S. taxpayers. This issue of the SOI Bulletin also includes articles on the following topics:

- **Sales of capital assets.** For tax years 2007 - 2009, data from individual income tax returns show that taxpayers realized the highest net capital gains of \$914 billion in 2007, while only \$37 billion were reported for 2009.
- **Municipal bonds.** The municipal bonds market was still dominated by almost 22,000 tax-exempt governmental bonds issued in 2010, raising \$293.6 billion in proceeds for public projects, such as schools, transportation infrastructure and utilities.
- **Nonresident alien estate tax.** Executors for estates of nonresident aliens filed 1,887 tax returns in filing years 2009-2011. Returns filed were predominantly for estates of decedents who died between 2007 and 2010, and data from these returns showed an overall decline in the total gross estate and net estate tax owed.
- **International boycott reports.** For tax year 2010, about 132 U.S. entities received 3,200 requests to participate in unsanctioned international boycotts, down from 160 U.S. entities and 3,500 requests in 2009.

The Statistics of Income Bulletin is available for download at IRS.gov/taxstats. Printed copies of the Statistics of Income Bulletin are available from the Superintendent of Documents, U.S. Government Printing Office, P.O. Box 371954, Pittsburgh, PA 15250-7954. The annual subscription rate is \$67 (\$93.80 foreign); single issues cost \$44 (\$61.60 foreign).

For more information about these data, write to the Internal Revenue Service (RAS:S), Director, Statistics of Income, 1111 Constitution Ave., NW (K-Room 4160), Washington, DC 20224-0002.

Issue Number: IR-2013-63

June 26, 2013

Inside This Issue

National Taxpayer Advo-

cate Identifies Priority Issues for Upcoming Year; Reports on Exempt Organization Review Concerns

WASHINGTON — National Taxpayer Advocate Nina E. Olson released her statutorily mandated mid-year report to Congress that identifies the priority issues the Taxpayer Advocate Service (TAS) will address during the upcoming fiscal year. The report expresses particular concern about the impact of budget cuts on the IRS's ability to meet taxpayer needs, the IRS's unwillingness to issue full refunds to victims of tax return preparer fraud and shortcomings in IRS procedures for assisting victims of tax-related identity theft.

In addition, Olson released a special report examining the IRS's use of questionable criteria to screen applicants for tax-exempt status. The special report analyzes the sources of the problem and makes preliminary recommendations to address them.

“Today, the IRS is an institution in crisis,” Olson wrote. “In my view, however, the real crisis is not the one generating headlines. The real crisis facing the IRS — and therefore taxpayers — is a radically transformed mission coupled with inadequate funding to accomplish that mission. As a consequence of this crisis, the IRS gives limited consideration to taxpayer rights or fundamental tax administration principles as it struggles to get its job done.”

TAS AREAS OF FOCUS

The report identifies the priority issues on which the Office of the Taxpayer Advocate will focus during the upcoming fiscal year. The report describes numerous challenges facing the IRS, including:

- Relieving the financial harm suffered by victims of tax return preparer fraud.
- Conducting adequate oversight of the tax return preparer industry.
- Providing effective, timely and taxpayer-centric relief to victims of identity theft.
- Utilizing effective and timely collection alternatives to minimize taxpayer

burden while reducing the number and dollar amount of balance-due accounts.

- Conducting education and outreach to taxpayers about their responsibilities under the Affordable Care Act.
- Resolving erroneous revocations of the tax-exempt status of small § 501(c)(3) organizations and failing to provide them with a pre-revocation administrative appeal.
- Establishing less draconian and more reasonable “settlement initiatives” for the millions of taxpayers who have legitimate reasons for overseas bank and financial accounts and whose failure to file reports was merely negligent.

Olson expresses particular concern about the impact of cuts to the IRS budget on taxpayer services, taxpayer rights and revenue collection. She recommends that Congress provide sufficient funding for the IRS to meet taxpayer needs. Notably, she recommends that funding be restored for employee training, which has been cut by 83 percent since FY 2010, so IRS employees obtain the education and professional skills they require to administer the tax system in a manner that respects taxpayers’ rights. “The last thing a financially struggling taxpayer should have to face is an under-trained IRS collection apparatus,” she wrote.

SPECIAL REPORT ON EX-EMPT ORGANIZATION REVIEW CONCERNS

In addressing the exempt organization (EO) issues, the Advocate’s office does not have investigative authority and did not seek to duplicate other ongoing investigations. The report takes a broad look at factors that contributed to the use of questionable screening criteria and processing delays and offers 16 recommendations to address them. The report groups the contributing factors into four categories: (1) lack of guidance and transparency; (2) absence of adequate checks and balances; (3) management and administrative failures; and (4) EO’s “cultural difficulty” with TAS.

Among other things (and as noted

below), Olson recommends that Congress enact a Taxpayer Bill of Rights. In her preface to the report, she details how the EO review processing delays violated 8 of those 10 taxpayer rights.

Lack of Guidance and Transparency

The Legal Standard “Primarily” Is Vague and Undeveloped. Section 501(c)(4) of the tax code provides that an organization may qualify for tax-exempt status if it is “operated exclusively for the promotion of social welfare” (emphasis added). Treasury regulations provide that an “organization is operated exclusively for the promotion of social welfare if it is primarily engaged in promoting in some way the common good and general welfare of the people of the community” (emphasis added).

Leaving aside the question how “exclusively” came to be defined as “primarily” (which is viewed by some commentators as merely 51%), there is very little guidance to guide IRS employees in determining whether an organization is operating “primarily” for social welfare purposes or what level of political campaign activity is permissible. Among the open questions:

- Is there a fixed percentage that should be used to measure whether an entity is “primarily” engaged in social welfare activities (e.g., 51 percent)?
- What factor or factors are controlling? In seeking to measure whether an entity is “primarily” engaged in social welfare activities, one could focus on the percentage of the entity’s expenditures, the percentage of the entity’s time, the percentage of the entity’s email blasts or advertisements or other factors.
- If the IRS considers multiple factors, should all factors receive equal weight, and if not, how should the relative weighting be determined?

The law provides no direct guidance to answer these questions. To enable the IRS’s EO function to evaluate applicants for Section 501(c)(4) status in a consistent manner, the Advocate

recommends that Congress or the Treasury Department provide clearer standards.

No Judicial Review Is Available for Rejected or Unanswered Section

501(c)(4) Applicants. If an organization’s application for Section 501(c)(3) status is rejected or not answered after 270 days, the organization may go to court to request a declaratory judgment. Applicants for Section 501(c)(4) status have no such right. The Advocate’s report recommends that Congress authorize judicial recourse for Section 501(c)(4) applicants. Doing so would give organizations that believe they have been unfairly treated by the IRS the right to an independent review, and it would enable the courts to assist in developing guidelines that would help the IRS in applying the “primarily” standard.

The Application Form for Section 501(c)(4) Organizations Does Not Ask Key Questions. Applicants for tax-exempt status under Section 501(c)(4) must complete IRS Form 1024, Application for Recognition of Exemption Under Section 501(a). This form was last updated in 1998 — long before the IRS began to receive a significant number of applications from organizations that intend to engage in some political campaign activity. The Advocate recommends the IRS revise the questions on Form 1024 to elicit necessary information upon application. Doing so would reduce the need for the IRS to burden organizations with subsequent requests for information and would eliminate the appearance of partisanship, since the questions would be posed to all applicants engaging in any political campaign activity.

The IRS Rarely Audits the Operations of Section 501(c)(4) Organizations to Determine Whether They Are, In Fact, Operating “Primarily” for Permissible Purposes.

If the IRS is expected to ensure that organizations granted Section 501(c)(4) status operate as they say they will, it must have the ability to conduct periodic audits. To ensure the IRS’s decisions about which organizations to audit are objective, the

Advocate recommends the IRS conduct a small sample of reviews and then develop a risk model to use in compliance reviews of organizations after they have begun operations. The IRS can use the information developed in these audits to improve guidance and create outreach and education campaigns.

The EO Function Did Not Post Its Procedures on the Internet, Potentially Violating the Law and Contributing to the Problem. The IRS is required to post on its website all “instructions to staff that affect a member of the public,” unless an exemption applies. Even if an exemption applies, IRS functions should clear most guidance internally with affected program owners and “specialized reviewers” such as TAS. EO did not clear with TAS or post on the Internet, even in redacted form, relevant training materials, form letters used to request additional information, the screening checklist used by EO employees in the determinations process and other key documents. EO’s failure to clear its procedures with TAS and other stakeholders bypassed an important safeguard of taxpayer rights.

Had these documents been vetted by TAS, TAS would have had an opportunity to raise concerns before implementation. Had these documents been posted on the Internet, members of the public would have had access to them, providing greater transparency and enabling them to raise concerns about improper practices. Key EO documents still are not posted to the Internet, and TAS has not been able to locate them on the IRS intranet. The Tax Exempt and Government Entities Division (TE/GE), of which EO is a part, has agreed to share its guidance with TAS. The Advocate recommends that the IRS adopt more expansive disclosure policies both in TE/GE and throughout the IRS.

Absence of Adequate Checks and Balances

The IRS’s Processing of Section 501(c)(4) Applications Violated Fundamental Taxpayer Rights. The National Taxpayer Advocate has long

recommended that Congress enact a Taxpayer Bill of Rights (TBOR). Modeled after the U.S. Constitution’s Bill of Rights, they would include the following: (1) the right to be informed; (2) the right to be assisted; (3) the right to be heard; (4) the right to pay no more than the correct amount of tax; (5) the right of appeal; (6) the right to certainty; (7) the right to privacy; (8) the right to confidentiality; (9) the right to representation; and (10) the right to a fair and just tax system. The intent of a Taxpayer Bill of Rights is not primarily to create new rights, but to group the dozens of existing taxpayer rights into categories that members of the public and IRS employees alike can understand and remember. In her preface to the report, Olson details how the IRS’s processing of Section 501(c)(4) applications violated 8 of these 10 rights. “If these rights were enacted and publicized . . . applicants for exemption may have complained more promptly and the violations might have been addressed more quickly,” the report says.

Applicants for Exempt Status (and Other Taxpayers) Have No Easily Available Remedy for the Violation of Their Rights. Several other countries, notably Australia and the United Kingdom, have authorized “apology payments” (or an equivalent) as a remedy for the violation of taxpayer rights. The National Taxpayer Advocate has previously proposed that Congress authorize the Advocate to make a payment of up to \$1,000 to a taxpayer in cases where the action or inaction of the IRS caused excessive expense or undue burden and the taxpayer has experienced a “significant hardship” within the meaning of Section 7811 of the tax code. The total would be capped, perhaps at \$1 million per year. Apology payments would serve as a symbolic gesture to show that the government recognizes its mistake and the taxpayer’s burden. The Advocate recommends that Congress enact this proposal.

Congress No Longer Holds Joint Annual Oversight Hearings to Review IRS Challenges and Performance. After

Congress passed the IRS Restructuring and Reform Act of 1998, it held annual oversight hearings to review the IRS’s performance. Each hearing was conducted jointly by majority and minority members of the House Committees on Ways and Means, Appropriations, and Government Reform and Oversight and the Senate Committees on Finance, Appropriations, and Governmental Affairs. The last joint oversight hearing was held about 10 years ago. The Advocate recommends that Congress reinstate joint annual oversight hearings to help identify and address problem areas, with specific focus on how the IRS is meeting the needs of particular taxpayer segments, including individuals, small businesses and exempt organizations, and how it is protecting taxpayer rights.

Management and Administrative Failures

EO Management Did Not Maintain an Adequate Inventory Management System. EO apparently did not have the meaningful performance measures required for effective management oversight, such as how long it takes, on average, to process applications that cannot be disposed of during initial screening and what percentage of inventory was over-aged. The Advocate recommends that EO adopt better metrics to enable management to identify problems more quickly.

EO Management Did Not Ensure that Requests for Guidance Received a Timely Response. The recent report by the Treasury Inspector General for Tax Administration (TIGTA) report found that “the Determinations Unit waited more than 20 months (from February 2010 to November 2011) to receive draft written guidance from the Technical Unit for processing potential political cases.” It appears EO management did not have a system to ensure management followed up on requests for guidance or assistance that were not timely fulfilled. The Advocate recommends that EO track requests for guidance or assistance from the EO Technical Unit so management can assess the timeliness and quality of the guidance

and assistance it provides to both Determinations Unit employees and the public.

EO's Cultural Difficulty with TAS

EO Executives Resisted TAS's Authority to Order Expedited Processing of Tax-Exemption Applications, and Thereby Isolated EO from TAS. Congress has given the National Taxpayer Advocate the authority to issue Taxpayer Assistance Orders (TAOs) directing the IRS to take an action or refrain from taking an action with respect to taxpayers who have experienced a "significant hardship" as defined by statute. When EO's backlog of applications for exempt status grew around 2007, TAS issued TAOs directing EO to process certain "significant hardship" cases quickly. EO management pushed back, arguing that the Advocate's authority to issue TAOs did not apply to EO cases. The attitude that EO does not have to be responsive to TAS has permeated EO and persists to this day, the report says. The Advocate has recommended and the new TE/GE leadership has agreed that TAS provide training to EO employees regarding TAS's authority to order expedited processing of exemption applications.

EO Employees Did Not Refer Over-Aged Cases to TAS. The tax code provides that the National Taxpayer Advocate shall "develop guidance to be distributed to all Internal Revenue Service officers and employees outlining the criteria for referral of taxpayer inquiries to local offices of taxpayer advocates." One criterion is that "[t]he taxpayer has experienced a delay of more than 30 days [beyond the IRS's normal processing time] to resolve a tax account problem." Although other IRS divisions routinely refer cases to TAS and although every case identified by TIGTA was delayed much more than 30 days, EO did not refer any of these cases to TAS. The Advocate has recommended and the new TE/GE leadership has agreed that TAS provide guidance and training to EO employees regarding when to refer cases to TAS.

EO Employees Did Not Report the Systemic Delays in EO Processing to TAS. TAS maintains a system known as the Systemic Advocacy Management System (SAMS) through which IRS employees and members of the public can report systemic IRS problems. TAS receives hundreds of submissions each year, including many from IRS employees. However, no EO employee (or anyone else) alerted TAS to this issue while the cases were on hold. Had TAS been alerted, it would likely have uncovered the significant delays and confusion in processing these applications during the pendency of the problem. The Advocate recommends that TAS provide guidance and training to EO employees regarding when to refer systemic issues to TAS.

TAS Cases

Following the release of the TIGTA report, TAS searched its databases for the period from January 1, 2010 through May 17, 2013. It identified 19 cases that may have involved the "Be on the Lookout" (BOLO) selection criteria out of over 915,000 total case receipts during that period. The 19 cases were received by ten TAS offices in nine states. Eleven organizations were granted exempt status, three withdrew their applications, three cases were closed because the applicants did not respond to requests for additional information, and two cases are still open in EO and are assigned to a reviewer.

The report says that faced with an average of more than 270,000 cases a year, it is difficult for TAS to identify systemic issues that arise in a small number of cases. However, the report says steps can be taken to increase the odds of earlier issue identification. As described above, EO leadership has agreed to allow TAS to train its employees regarding case referrals and SAMS submissions. If TAS had received a significant number of case referrals from EO or if the systemic processing delays had been reported on SAMS by any EO employee who was aware of the issue, TAS likely would have identified the problem sooner. In addition, the National Taxpayer

Advocate will provide additional training to TAS employees regarding EO issues, and TAS will participate in a task force with TE/GE to identify and address systemic EO issues in the future.

* * * * *

The National Taxpayer Advocate is required by statute to submit two annual reports to the House Committee on Ways and Means and the Senate Committee on Finance. The statute requires these reports to be submitted directly to the Committees without any prior review or comment from the Commissioner of Internal Revenue, the Secretary of the Treasury, the IRS Oversight Board, any other officer or employee of the Department of the Treasury, or the Office of Management and Budget. The first report is due on June 30 of each year and must identify the objectives of the Office of the Taxpayer Advocate for the fiscal year beginning in that calendar year. The second report, due on December 31 of each year, must identify at least 20 of the most serious problems encountered by taxpayers, discuss the ten tax issues most frequently litigated in the courts and make administrative and legislative recommendations to resolve taxpayer problems.

ABOUT THE TAXPAYER ADVOCATE SERVICE

The Taxpayer Advocate Service is an independent organization within the IRS. TAS employees help taxpayers who are experiencing financial difficulties, such as not being able to provide necessities like housing, transportation or food; taxpayers who are seeking help in resolving problems with the IRS; and taxpayers who believe an IRS system or procedure is not working as it should. If you believe you are eligible for TAS assistance, call 1-877-777-4778 (toll-free). For more information, go to www.TaxpayerAdvocate.irs.gov or www.irs.gov/advocate. You can get updates on tax topics at www.facebook.com/YourVoiceAtIRS, Twitter.com/YourVoiceAtIRS and www.youtube.com/TASNTA.

Revenue-related Legislation

2013 Regular Session

General Revenue-related Acts

Act 2013-08 (HJR 17)

Extends Capital Credits and Tax Abatements

This act is a House Joint Resolution that continues the capital credits and abatements authorized by Article 7 of Chapter 18, Title 40, *Code of Alabama 1975*, and by Act 2012-54, now appearing as Sections 40-9B-3 (abatements) and 40-18-190 (tax credits); credits and abatements are extended until Dec. 31, 2018.

Effective Date: Feb. 20, 2013

Act 2013-34 (SB 49)

Rebates Certain Qualified Production Expenses; Retroactive to June 14, 2011

This act amends Section 41-7A-43; amends Act 2012-212 (Entertainment Act of 2009) that disconnected the income tax refund from the tax law's rebate for production companies approved for the film rebate; the first \$20 million of production expenditures expended in Alabama on a state-certified production is eligible to be used for rebate calculations; the rebate is equal to 25% of the state-certified production's production expenses, excluding payroll paid to Alabama residents, plus 35% of payroll paid to Alabama residents for the state-certified production, provided production expenses are at least \$500,000; does not increase any caps in the existing law; if production cost exceeds the company's tax liability, then the difference is refunded to the company; retroactively effective to June 14, 2011.

Effective Date: March 1, 2013. This act is retroactively effective to June 14, 2011.

Act 2013-51 (SB 96)

Major 21st Century Manufacturing Zone Act

This act amends Sections 11-99-1, 11-99-2, 11-99-4, 11-99-5, 11-99-6, and 11-99-8; authorizes a municipality to designate certain real property a "Major 21st Century Manufacturing Zone" as a tax increment district; a Major 21st Century Manufacturing Zone is defined as any area aggregating not less than 250 contiguous acres of real property determined by a municipality to be: 1) located, in whole or part, within its boundaries or corporate limits, 2) suitable for the site of an automotive, automotive-industry related, aviation, aviation-industry related, medical, pharmaceutical, semiconductor, computer, electronics, energy conservation, cyber technology, or

biomedical industry manufacturing facility or facilities, and 3) an area within which not less than one hundred million dollars (\$100,000,000) of capital expenditure in connection with the establishment, expansion, construction, equipping, development, rehabilitation, or redevelopment of the facility or facilities is anticipated to be made based upon representations and information provided by the anticipated user or users of the facility or facilities and other information the local governing body will have available to it and deemed appropriate; the tax increment base must be determined once the district is created; the tax increment base is defined as the aggregate value, as equalized by the ADOR, of all taxable property located within the tax increment district on the date the district is created; each October 1 following the creation of a tax increment district, the equalized value of all taxable property in the district is determined; if the tax increment base is less than the equalized value of all taxable property in the district, the positive tax increment (additional taxes above the base year taxes) is paid over to the public entity that created the district.

Effective Date: March 6, 2013. The provisions of this act will apply to any tax increment district created before the effective date of March 6, 2013, provided that the tax increment district is created on or after April 1, 2013, and not less than 50 % by area of the real property within the tax increment district is a Major 21st Century Manufacturing Zone.

Act 2012-64 (HB 84)

Alabama Accountability Act of 2013

This act establishes the Alabama Accountability Act of 2013, relating to public K-12 education; authorizes the establishment of innovative schools and school systems in the state; provides legislative findings and purposes; provides an overview; authorizes the State Board of Education to enter into school flexibility contracts with local school systems; requires the local board of education to submit a document of assurance; requires the State Board of Education to promulgate rules and regulations relating to innovative school systems; requires local school systems to submit an innovation plan to the State Department of Education in order to qualify for innovation status; provides a refundable income tax credit for parents of students enrolled in or assigned to attend a failing public K-12 school in Alabama to offset the cost of transferring to a non-failing public school or a private school; the credit is limited to 80% of the annual state cost of attendance for a public K-12 student during the applicable tax year; provides a credit for individual and corporate contributions to organizations that provided education scholarships to qualifying schools; the tax credit claimed by an individual or a married couple filing jointly is equal to the total contribution to the scholarship organization up to 50% of the tax liability but limited to \$7,500 per taxpayer/couple; the credit claimed by a corporate taxpayer is equal to 50% of total contributions to the scholarship organization up to 50% of the tax liability; the cumulative amount of this credit cannot exceed \$25 million per year; the credit can be carried forward for three years; the income tax credits will be paid by sales tax revenues deposited

in the Education Trust Fund by means of an annual transfer authorized by the Comptroller into an income tax credit account; the transfer of monies between funds will be handled between the Revenue Department's Financial Operations Division and the State Comptroller's Office; provides for oversight of participating schools; provides for the responsibilities of the Department of Revenue; provides for an effective date.

Effective Date: March 14, 2013. The tax credit provided in Section 9 may be first claimed for the 2013 tax year.

Act 2013-66 (SB 204)

Allows Income Tax Credit for the Purchase and Installation of Irrigation Systems to be Carried Forward Five Years

This act amends Section 40-18-342; provides technical corrections to Section 40-18-342; provides for changes to the annual flow rate of rivers or streams excepted from the qualified reservoir requirement; allows the income tax credit to be carried forward five years; allows shareholders a pro rata share of the credit claimed by certain business entities.

Effective Date: June 01, 2013

Act 2013-67 (SB 108)

Creates the Alabama State Law Enforcement Agency

This act amends Sections 41-9-592 and 41-9-593, which relate to the Criminal Justice Information Center Commission; creates the Alabama State Law Enforcement Agency, and the secretary for the Alabama State Law Enforcement Agency who will also be the chairman of the Criminal Justice Information Commission; the secretary for the Alabama State Law Enforcement Agency will be appointed by the governor and the salary for the secretary of the Alabama State Law Enforcement Agency will be set by the governor, and will not be subject to Section 36-6-6; duties of the Alabama State Law Enforcement Agency will include coordinating various law enforcement and investigative services, and serving as Homeland Security Advisor for Alabama; creates the State Bureau of Investigations that will assume the duties of the Alabama Bureau of Investigations; a director will be appointed to this agency by the secretary of the Alabama State Law Enforcement Agency through the governor; the director's salary will be set by the secretary of the Alabama State Law Enforcement Agency; creates a new division within the Department of Public Safety; creates a director for this agency appointed by the secretary of the Alabama State Law Enforcement Agency; creates the Public Safety Fund which will consist of monies appropriated for support of the functions of the secretary of the Alabama State Law Enforcement Agency, the Department of Public Safety, and the State Bureau of Investigations; transfers certain enforcement and investigative functions of certain agencies to the State Bureau of Investigations; transfers all functions of the Alabama Homeland Security to the secretary of the Alabama State Law Enforcement Agency; transfers certain enforcement functions of certain agencies to the Department of Public Safety; requires the Code Commissioner to make conforming changes in

the *Code of Alabama 1975*.

Effective Date: March 19, 2013. Sections 1 and 2 become effective March 19, 2013. The remainder of the act becomes effective on Jan. 1, 2015.

Act 2013-68 (SB 117)

Creates the Office of Secretary of Information Technology; Establishes Permanent Legislative Oversight Committee on Information Technology

This act repeals Sections 16-61D-1 through 16-61D-6, relating to the Office of Information Technology; amends Section 41-4-221, relating to the duties of the Division of Data Systems Management, by deleting subdivisions (1) and (2); creates the Office of Secretary of Information Technology; establishes a Permanent Legislative Oversight Committee on Information Technology; creates a committee to recommend to the Governor a person to serve as the Secretary of Information Technology and provide for its membership; as a result of this act the Department of Revenue may lose ownership of the servers it created for its Gentax system; if IRS deems this act as being too risky for protecting federal tax information, the Department of Revenue could lose the use of this information, which will result in the loss of millions of dollars in revenue collected each year using federal tax information.

Effective Date: March 19, 2013

Act 2013-88 (HB 101)

The Red Tape Reduction Act

This act adds Sections 41-22-5.1 and 41-22-5.2; requires an agency proposing to adopt, amend or repeal an administrative rule that has an adverse impact on a business to prepare and file a Business Economic Impact Statement with the Joint Committee on Administrative Regulation Review, or its successor, prior to the adoption of the rule if a business notifies the agency that it will be negatively impacted by the proposed rule; impact statements must contain the number of businesses subject to the agency's proposal, as well as the projected reporting, recordkeeping, and other administrative costs required for compliance with the proposal; an impact statement is required to be filed at the time the proposed rule is certified with the Legislative Reference Service; once the rule is certified, an agency must also place the statement on the agency's website in a location easily accessible by the general public; agencies must notify any person electronically who has registered with the agency his or her desire to receive notification of any proposal to adopt, amend or repeal an agency rule; agencies must review all administrative rules every five years; if the head of the agency determines that completion of the review of existing rules is not feasible within five years of the effective date of this act, the agency will publish a statement certifying that determination; requires an agency, once the agency files a notice of intent to adopt, amend, or repeal a rule, to notify the public of the proposed action by posting the text of the rule on its website; agencies determined by the joint committee or its successor to exist primarily to perform

certification or licensing-related functions are not required to comply with the provisions of Section 41-22-5.1 unless the joint committee or its successor determines in writing that an agency's proposal requires an impact statement; any agency or department will fulfill any request for a license or permit within 28 calendar days after receiving the application or notify applicant of the reason for non-issuance of the request.

Effective Date: July 1, 2013

Act 2013-173 (SB 100)

Transfers Certain State Funds to General Fund FY 2014 and Future Fiscal Years

This act provides for the transfer of certain state funds into the State General Fund to help offset the costs of services provided by agencies which receive appropriations from the State General Fund, beginning with the fiscal year ending September 30, 2014, and each fiscal year thereafter; departments affected are the Alabama Alcoholic Beverage Control Board, the Department of Conservation and Natural Resources, the Department of Environmental Management, the Department of Finance, the Department of Insurance, the Department of Labor, the Manufactured Housing Commission, the State Personnel Department, the Public Service Commission, the Department of Revenue, the Securities Commission, the Alabama Surface Mining Commission and the Alabama Tourism Department.

Effective Date: Oct. 1, 2013

Act 2013-174 (HB 181)

Lowers State and Local Combined Fee for Disposal of Hazardous Waste/Substances

This act amends Sections 22-30-4, 22-30B-2, 22-30B-2.1, 22-30B-4, and 22-30B-4.; lowers state and local combined fee for the disposal of hazardous waste and substances to \$5.50 per ton; eliminates fee-specific rates which applied to other specific wastes; eliminates the disparity in fees for the Emelle facility compared to any other facility; provides that the first \$400,000 of collections which is designated for the general fund be appropriated to the Alabama Department of Environmental Management; eliminates the \$1.90 and \$0.50 per ton fees which are collected by the county; funds guaranteed to any county, as stated in Section 22-30B-2.1, of \$.40 per ton will be expended for health purposes and the remainder for purposes as may be appropriated by local act; no county benefitting from the funds stated in Section 22-30B-2.1 will enact any local law levying an additional fee to be paid by the operators of commercial sites for the disposal of hazardous waste or hazardous substances.

Effective Date: June 1, 2013

Act 2013-190 (SB 18)

Distinctive Motorcycle License Plate for Breast Cancer Research

This act creates a distinctive breast cancer research motorcycle

license plate; the fee for the license plate is the annual motorcycle fee (\$15), plus an annual additional fee (\$50); license plates are valid for five years; the additional fee will be distributed in accordance with Section 32-6-68.

Effective Date: Jan. 1, 2014

Act 2013-196 (HB 216)

Use Tax Exemption for Parts, Components, and Systems which Become Part of Fixed or Rotary Wing Military Aircraft or Certified Transport Category Aircraft

This act amends Section 40-23-62; allows a corresponding use tax exemption for parts, components, and systems that become a part of a fixed or rotary wing military or certified transport category aircraft which undergoes conversion, reconfiguration, or general maintenance, so long as the address of the aircraft for FAA registration is not in this state; exemption begins for the period commencing Oct. 1, 2012, and ends May 30, 2022, unless extended by joint resolution of the Legislature; exemption will not apply to a local use tax unless previously exempted by local law or approved by resolution of the local governing body; retroactive for the fiscal year beginning Oct. 1, 2012.

Effective Date: May 8, 2013. Retroactive for the fiscal year beginning Oct. 1, 2012, and continuing thereafter following its passage and approval by the Governor, or its otherwise becoming law, and any use tax exemptions provided in conformance with this act prior to the enactment of this act are ratified and confirmed.

Act 2013-200 (HB 279)

Provides for Refunds of Excise Tax Paid on Purchases of Jet Fuels; Purchases of Aviation Jet Fuel Made by Certain Air Carriers Exempt from Sales Tax; Use, Storage or Consumption of Certain Aviation Jet Fuel Exempt from Use Tax

This act amends Sections 40-17-329, 40-23-4, and 40-23-62; provides for a refund of excise tax paid on purchases of aviation jet fuel made by certified or licensed air carriers conducting all-cargo operations engaged in international flights; exempts purchases of aviation jet fuel made by these carriers from sales tax, and exempts the use, storage or consumption of this jet fuel from use tax; adds definitions for "air carrier," "all-cargo operations," "international commerce" and "international flights."

Effective Date: May 8, 2013. The provisions of this act are retroactive to Oct. 1, 2012.

Act 2013-205 (HB 419)

Certain Contractors and Subcontractors Granted Certificates of Sales and Use Tax Exemption to Purchase Building and Construction Materials

This act provides a sales and use tax exemption for contractors and subcontractors on purchases of building materials and construction materials to be included in construction projects of governmental entities; the language found in Section 1. (a) states that the term "governmental entity" means the State of Alabama

and its political subdivisions, including a county, a municipality, and an industrial or economic development board or authority. A governmental entity also includes an educational institution of any of the foregoing Alabama political subdivisions including a public college or university, a county or a city board of education, and the State Board of Education; provides that the Revenue Department will issue exemption certificates to the contractors and subcontractors licensed by the State Licensing Board for General Contractors for the purchase of building materials, construction materials and supplies, and other tangible personal property to be used or included pursuant to a written contract in the construction of a building or other project for and on behalf of a governmental entity which is exempt from the payment of sales and use taxes; requires any contractor or subcontractor purchasing any tangible personal property pursuant to a certificate of exemption to maintain accurate cost accounting of the purchase and use of the property in the construction of the project; allows the Revenue Department to assess any contractor or subcontractor with sales or use taxes on any item purchased with a certificate of exemption that is not properly accounted for and further authorizes the department to levy a civil penalty in the amount of two times any sales or use tax due on the property on any contractor or subcontractor who intentionally uses a certificate of exemption in violation of this act; the Revenue Department may, based on the severity of the violation, bar those who misuse a certificate of exemption issued pursuant to this act from the use of any certificate of exemption on any project for up to two years.

Effective Date: Oct. 1, 2013. For contracts entered into on Jan. 1, 2014, and thereafter. This act will not apply to any contract entered into prior to Jan. 1, 2014, nor to change orders or contract extensions, including revised, renegotiated, or altered contracts, when the original contract was entered into prior to Jan. 1, 2014.

Act 2013-224 (SB 144)

Release of Liens on Vehicles which are 12 or More Model Years Old

This act amends Section 32-8-64.2, as last amended by Act 2011-633, 2011 Regular Session; provides for the release of certain liens after four years from the date of the security agreement as recorded on the certificate of title for vehicles which are 12 or more model years old.

Effective Date: Aug. 1, 2013

Act 2013-240 (HB 562)

Extends Current Supplemental Privilege Assessment and Monthly Surcharge on Nursing Facilities to August 31, 2015

This act amends Section 40-26B-21, as last amended by Act 2012-536 of the 2012 Regular Session; extends the current supplemental privilege assessment and monthly surcharge on nursing facilities to Aug. 31, 2015; for period of Sept. 1, 2011 to Aug. 31, 2015, the supplemental privilege assessment will be \$1,603.08, annually, for each bed in the nursing facility; beginning with the

monthly payment for the supplemental privilege assessment due on Sept. 20, 2012, the monthly surcharge due with each supplemental privilege assessment payment will be \$43.75 per month.

Effective Date: May 15, 2013

Act 2013-241 (HB 140)

Tax Credit against Tax Liability of Taxpayer for Rehabilitation, Preservation and Development of Historic Structures

This act provides for a tax credit to be approved by the Alabama Historical Commission and administered by the Department of Revenue; the non-transferable credit is available for use against the taxes codified in Chapter 16 and Chapter 18 of Title 40 of the Code of Alabama 1975; the amount of credit granted will be computed by the Alabama Historical Commission; the commission will issue the taxpayer a tax credit certificate in an amount equal to the lesser of: 1) the amount of tax credit reservation issued for the project, or 2) 25% of actual qualified rehabilitation expenditures for certified historic structures and 10% of the actual qualified pre-1936 non-historic structures; the tax credit will not exceed \$5,000,000 for all allowable property types except a certified historic residential structure, and \$50,000 for a certified historic residential structure; the aggregate amount of credits in any tax year will not exceed \$20,000,000; any unused portion of the credit may be carried forward for 10 years; the credits granted to any pass-through entity, such as an LLC, LLP, etc. can be passed through to the members of the pass-through entity; tax credits authorized by this act will not be available to owners of qualified structures that submit an application and rehabilitation plan three years following the effective date of this act; applications for the reservation of tax credits will be accepted beginning Oct. 1, 2013, but no tax credit may be credited prior to the taxpayer's return for the taxable year 2014.

Effective Date: May 15, 2013

Act 2013-246 (HB 605)

Extends Private Hospital Assessment and Medicaid Funding Program for Fiscal Years 2014, 2015 and 2016

This act amends Sections 40-26B-70, 40-26B-71, 40-26B-73, 40-26B-77, 40-26B-78, 40-26B-80, 40-26B-82, 40-26B-84, 40-26B-88; adds Section 40-26B-77.1 to Article 5, Chapter 26B of the *Code of Alabama 1975*; extends the private hospital assessment and Medicaid funding program for fiscal years 2014, 2015 and 2016; changes the base year to fiscal year 2011 for purposes of calculating the assessment; provides for a change in the rate imposed from 5.14% to 5.5% of net patient revenue in fiscal year 2011; provides that, beginning on Oct. 1, 2013, state-owned and public hospitals will make intergovernmental transfers to the Medicaid Agency to be used to fund payments for inpatient and outpatient care; provides that state-owned and public hospital certified public expenditures will be for the hospital's uncompensated care and will be used to pay the hospital its disproportionate share payments.

Effective Date: Oct. 1, 2013

Act 2013-249 (SB 38)***Expands Definition of "Agreement" to Include Agreement between the Alabama Land Bank Authority and a Local Authority***

This act amends Sections 24-9-4, 24-9-5, 24-9-6, 24-9-7, 24-9-8, and 40-10-132; relating to the Alabama Land Bank Authority; expands the definition of the term "agreement" to include an agreement between an authority and a local authority; defines the term "local authority" as an authority created by a county or municipality for the purpose of transferring property to the land bank authority; allows the land bank authority to institute a foreclosure action; acquires title to property by purchase, donation, exchange, or otherwise provides the procedure to institute a foreclosure action; allows the land bank to submit a request to the Land Commissioner of the State of Alabama for transfer of the state's interest in tax delinquent properties that have been held by the state for at least five years; provides the procedure for conveyance or disposition of properties or the rights or interests of properties held by the land bank authority; adds a new Section 24-9-10 to Chapter 9, Title 24 of the *Code of Alabama 1975*, to provide for the creation of local land bank authorities, if the number of tax delinquent properties in a county or municipality exceeds 1,000.

Effective Date: Aug. 1, 2013

Act 2013-251 (SB 200)***Distinctive License Plates; Distribution of Additional Fee to the Department of Senior Services***

This act amends Section 32-6-68; redirects the \$5.00 annual fee paid to the State Comptroller for deposit in the "penny trust fund account" to an account maintained by the Department of Senior Services, for a program entitled "John L. Buskey Senior Meals Program"; funds deposited in the account are continuously appropriated to the department for the purpose of subdivision 32-6-68(b)(4).

Effective Date: Aug. 1, 2013

Act 2013-265 (HB 658)***Revisions to the Alabama Accountability Act of 2013***

This act amends Sections 4, 5, 8 and 9 of the Alabama Accountability Act of 2013, Act 2013-64, 2013 Regular Session; revises definitions for "educational scholarships," "failing school," and "qualifying school"; provides for the calculation of tax credits for parents of students enrolled in or assigned to attend a failing school; provides for retention of certain funds by a failing school; provides for treatment of students with disabilities; no public or nonpublic school will be required to enroll a student; prohibits discrimination; provides that nothing in Sections 8 and 9 of the Alabama Accountability Act authorizes the violation of or supersedes the authority of any court ruling that applies to the public school, school system, or school district, specifically any federal court order related to the desegregation of the local school

system's student population; the tax credit provided in Section 9 of the Alabama Accountability Act may be first claimed for the 2013 tax year, but may not be claimed for any tax year prior to the 2013 tax year; revises the tax credit for corporate donors to scholarship programs so that they can claim 100% of contributions made to scholarship granting organizations during the taxable year for which the credit is claimed up to 50% of their tax liability; provides for retroactive effect; further provides for the manner of payment of scholarships; provides that unclaimed scholarship funds as of September 15th of each year be made available to low-income students, regardless of whether the student is assigned to a failing school.

Effective Date: May 20, 2013. The provisions of the act are retroactive to March 14, 2013.

Act 2013-271 (SJR 22)***Requests the U.S. Congress to Work to Permanently Abolish Estate Tax***

This act is a Senate joint resolution, with both houses concurring, which requests the U.S. Congress work to permanently abolish the estate tax.

Effective Date: May 21, 2013

Act 2013-282 (SB 57)***Allows Department of Transportation Office of Fleet Management to Develop Statewide Fleet Management Program***

This act amends Sections 23-1-50.1 and 41-17A-6; repeals Chapter 17, Title 41 of the *Code of Alabama 1975*, effective Oct. 1, 2014, regarding the purchase, lease, operation and maintenance of state motor vehicles; allows the Department of Transportation Office of Fleet Management to review state department and agency green fleets plans on an annual basis; the Department of Transportation Office may develop a fleet management program for the state which will operate in a similar manner as the department's Equipment Management Program; all personnel, facilities, property, equipment, and funds assigned, allocated or appropriated to the Department of Finance, Division of Service, for the operation of a transportation pool or the maintenance and repair of state-owned or operated automobiles will transfer to the Alabama Department of Transportation, effective Oct. 1, 2014.

Effective Date: May 21, 2013. Chapter 17, Title 41, Sections 41-17-1 to 41-17-9 are repealed, effective Oct. 1, 2014.

Act 2013-295 (HB 19)***Homestead Exemption Restored for Disabled Regardless of Income; Homestead Exemption for People 65 and Older Further Provided for Based on State Taxable Income***

This act amends Sections 40-9-19, 40-9-21, and 40-9-21.1, as last amended by Act 2012-313; adds Section 40-9-21-2; restores the code sections in the exact same form as the sections existed prior to Act 2012-313 with two exceptions: 1) the net federal income tax limitation as provided in 40-9-21 for persons age 65 or older will

continue to be \$12,000 and these people are exempt from ad valorem property taxes levied by any county of the state, including taxes levied for school districts, and 2) the Department of Revenue will be authorized to further provide for evidence of eligibility other than a tax return for the exemption; the Department of Revenue may by regulation define and specify the condition or state of health that makes a person "permanently and totally disabled" and may issue certificates of disability to any person who meets the specifications; anyone drawing a pension or annuity from the armed services, a private company or any governmental agency because he/she is permanently and totally disabled will automatically be granted a certificate of permanent and total disability by the Department of Revenue; on or after the effective date of this act, if a permanently and totally disabled person does not qualify for the exemption under Section 40-9-21(b), and has not previously submitted written certification of permanent and total disability by any two physicians licensed to practice in this state, he/she may submit as proof of disability affidavits from two physicians licensed to practice in this state, provided that at least one of the physicians is actively providing treatment directly related to the permanent and total disability of the person seeking the exemption; the affidavit requirement does not apply to anyone receiving the exemption on the effective date of this act; the property must be a single-family home owned and occupied during the tax year as the principal residence of the person qualifying for the homestead exemption; anyone who is permanently and totally disabled, or is over the age of 65, and who qualifies for the homestead exemptions in Sections 40-9-19 and 40-9-21 will be allowed to verify his/her condition each year after initial qualification by mail on a form affidavit to be provided by the tax assessor; anyone who knowingly and willfully gives false information for the purpose of claiming a homestead exemption, or for the purpose of assisting another person in claiming a homestead exemption, will be ordered to pay twice the amount of any ad valorem tax which would have been due retroactive for a period of up to 10 years plus interest at a rate of 15 % annually from the date the tax would have been due; any penalties and interest assessed against anyone who obtained an exemption based on false information or anyone who assisted another in claiming an exemption with false information will be paid within thirty days of written demand by the local taxing official or the Department of Revenue, or the State of Alabama will bring civil action to recover the penalties and interest due.

Effective Date: May 21, 2013. The provisions of Section 2 of this act are retroactive to Aug. 1, 2012, and will apply to the tax year beginning Oct. 1, 2012. Anyone claiming an exemption under Section 40-9-19, 40-9-21 or 40-9-21.1, as amended by this act, for the tax year beginning Oct. 1, 2012, may claim any exemption prior to Aug. 1, 2013.

Act 2013-333 (HB 175)

Exempts Sale of Ophthalmic Materials from State Sales Tax

This act amends Section 40-23-1; the dispensing or transferring of ophthalmic materials, including lenses, frames, eyeglasses,

contact lenses, and other therapeutic optic devices, to a patient by a licensed ophthalmologist or licensed optometrist, as part of his or her professional service, is a sale subject to state sales tax; the licensed ophthalmologist or licensed optometrist will collect the state sales tax; when ophthalmic materials are purchased by a consumer covered by a third party benefit plan, including Medicare, the sales tax will be applicable to the amount that the ophthalmologist, optometrist or optician is reimbursed by the third party benefit plan plus the amount that the consumer pays at the time of the sale.

Effective Date: May 23, 2013

Act 2013-336 (HB 394)

Authorizes the Conversion of Trusts to Unitrusts

This act amends Sections 19-3A-102, 19-3A-103, 19-3A-104 and 19-3A-409; concerns the Alabama Principal and Income Act; authorizes a trust to convert to a unitrust; upon conversion, the donor may make a charitable deduction, to be taken in the year that the conversion takes place; when a trust is converted to a unitrust, the donor's charitable contribution can be claimed as a deduction on the Form 40 or 40NR-Schedule A; charitable contributions on Schedule A are subject to limitations, so the allowed charitable deduction for each taxpayer will vary.

Effective Date: Aug. 1, 2013

Act 2013-338 (HB 403)

Requires Name Reservations for All Foreign and Domestic Entities

This act amends Sections 10A-1-5.03, 10A-1-5.04, 10A-1-5.11, 10A-1-5.12, 10A-1-5.14 and 10A-1-5.15; repeals Sections 10A-1-5.21, 10A-1-5.22, 10A-1-5.23, 10A-1-5.24 and 10A-1-5.25; requires name reservations for all foreign and domestic business entities; combines name registration process for foreign entities with the name reservation process for domestic entities; extends the effective date for name reservations to one year from the date the application is accepted for filing; the following entities are exempt from the provisions in subsection 10A-1-5.04(a) requiring the name of a corporation or foreign corporation to contain the word "corporation" or "incorporated," or the abbreviation of one of those words: 1) nonprofit corporations, 2) foreign nonprofit corporations, 3) banks, 4) trust companies, 5) savings and loan associations, 6) insurance companies, and 7) corporations incorporated before Jan. 1, 1981.

Effective Date: Aug. 1, 2013

Act 2013-345 (HB 517)

Authorizes Alabama Public School and College Authority to Sell and Issue up to \$30,000,000 in Aggregate Principal Amount of Additional Bonds to Provide Funds for Capital Improvements to Certain Schools Damaged by Tornadoes

This act authorizes the Alabama Public School and College Authority to sell and issue up to \$30,000,000 in aggregate principal

amount of bonds, in addition to all other bonds previously issued by the authority, for the purpose of providing funds to pay for certain schools that suffered tornado damage on April 27, 2011 and December 25, 2012; the proceeds from the sale of the bonds and the earnings will be allocated as follows: 1) \$15,000,000 to the Mobile County School System for the payment of capital improvements to Murphy High School and 2) \$15,000,000 will be allocated to the State Department of Education to be distributed among Alberta City Elementary School, Phil Campbell High School, University Place Elementary School, Holt Elementary School and Plainview High School; authorizes the authority to provide for the details of the bonds and the sale and issuance of the bonds; the bond issuance does not create any general obligations of the authority, but will be a limited obligation payable solely out of the residues of certain tax receipts; for repayment of the bonds, there are pledged amounts as may be necessary from the residue of the receipts from several taxes: 1) utility gross receipts tax, 2) utility service use tax, 3) sales tax, and 4) use tax; authorizes the authority to pledge for payment of the principal of and interest on the bonds the funds that are appropriated and pledged; provides for the investment of funds by the State Treasurer; provides that the bonds not constitute a debt of the state, but will be limited obligations payable out of the funds appropriated and pledged therefor; the bond issuance does not create any general obligations of the authority, but will be a limited obligation payable solely out of the residues of certain tax receipts; provides that the bonds and the income therefrom will be exempt from taxation in this state and that the bonds may be used to secure deposits of funds of this state and its political subdivisions, instrumentalities, and agencies, and for investment of fiduciary funds; authorizes the authority to establish procedures and requirements to ensure compliance with tax covenants with which the authority must comply; exempts the bonds from the usury laws of the state; authorizes the authority to issue refunding bonds and give details of the refunding; provides for the employment of attorneys, fiscal advisors, trustees, paying agents, investment bankers, banks and underwriters and for the payment of all expenses incurred in the issuance of the bonds; provides that after payment of the expenses of the issuance of the bonds, the proceeds from the sale thereof will be disbursed on orders or warrants issued by or under the direction of the authority for the purposes for which the bonds are authorized to be issued; provides for the timely expenditure of the proceeds from the sale of the bonds; provides that if any portion of this act is held to be invalid, the holding will not affect the validity of any other portion thereof; authorizes the authority to reimburse the Building Commission, the Department of Finance, and the State Treasurer's Office for costs incurred in providing services for the authority.

Effective Date: May 23, 2013

Act 2013-350 (HB 338)

Facilitates Ability of Discharged Military Service Members to Receive Licensure and Academic Credit for Military Education, Training, and Experience

This act facilitates the ability of discharged military service members to receive licensure and academic credit for military education, training, and experience; provides that a license of a service member will remain in good standing, with certain exemptions, while the member is deployed, and for a certain period of time; each board of a state public educational institution, community college, or technical school will adopt, by Dec. 31, 2013, a policy requiring each institution under the board's supervision and management to award educational credits to a student, who is also a veteran, enrolled in the institution for courses that are part of the student's military training or service and that meet the standards of the American Council on Education or equivalent standards; except as provided in subsection (c) of Section 4, any member of the Armed Forces of the United States will be left in good standing until, at a minimum, December 31, of the first year following the end of his/her deployment, by the administrative or licensing body with which he/she is licensed or certified, while deployed, if at the time of deployment, the member was in good standing with the branch of the armed services and with the administrative licensing body; while deployed, the service member's license or certificate will be renewed without payment of dues or fees, or obtaining continuing education credits when circumstances associated with military duty prevent him/her obtaining training and a waiver request has been submitted or the military member performs the licensed or certified occupation as part of his/her military duties, or when performing any other act typically required for renewal of the license or certificate; notwithstanding subsections 4 (a) and 4 (b), the licensing board may require that the licensee receive additional credits within the year following the end of deployment; licensees of the Alabama State Bar are regulated by the Alabama Supreme Court and are exempt from Section 4; the court may provide waivers and exemptions for active duty and deployed military members; nothing in this act will be construed to infringe on the ability or decision of a public institution of higher education to determine the number of credits accepted by the institution that may be counted toward graduation.

Effective Date: May 22, 2013

Act 2013-370 (HB 47)

Only Person/Entity Who has Redeemed Property Sold at a Tax Sale May Receive Excess Paid by Purchaser

This act amends Section 40-10-28; provides that only a person or entity who has redeemed property sold at a tax sale may receive the excess paid by a tax sale purchaser; allows the redemptioner to pay all amounts except the excess bid, and upon doing so, to receive a voucher from the County Commission for the amount of the excess bid, which he/she can use in lieu of cash to present to

the probate judge to redeem the property; until and unless the property is redeemed, the excess from the tax sale will be held in an escrow account in the county treasury for three years; if at the end of the three year period, there has been no proper request for the excess funds, those funds will be deposited to the credit of the county general fund and will be treated as part of the county general fund; provides that a person or entity, upon presenting proof to the county commission that the property has been properly redeemed within ten years of the tax sale, will receive payment of the excess; after the ten-year period, the excess funds will become the property of the county.

Effective Date: Aug. 1, 2013

Act 2013-372 (HB 261)

Exempts Alabama Wholesale Oil License Tax Fee from Exported Gallons of Oil and on Transmix; Clarifies Terms; Exempts K-1 Kerosene Refined in Alabama for Immediate Export from Destination State Taxes

This act amends Sections 40-17-174, 40-17-322, 40-17-329, 40-17-340 and 40-17-362; exempts the Alabama Wholesale Oil License Fee from exported gallons of oil and on transmix; clarifies the definition of the terms "special fuel" and "two-party exchange"; defines the terms "kerosene," "K-1 kerosene," "associate jobber" and "cellulosic biofuel"; exempts K-1 kerosene refined in this state for immediate export from destination state taxes; tax paid on transmix not used as motor fuel or that is delivered to a refinery for further processing will be refundable, on a quarterly basis, to the person using the transmix or, if a licensed supplier, a credit may be taken on its monthly supplier return; importers importing motor fuel from a bulk plant or non-terminal storage location, and importers importing motor fuel acquired at an out-of-state terminal from a supplier who has not precollected the tax, will pay the tax on or before the third business day following the day of importation; the proceeds of the tax collected on the additional six cents diesel fuel excise tax and the additional four cents gasoline excise tax will be used in the following manner: 1) where the use is by the Department of Transportation, the use will, with the approval of the Governor, be for the construction and maintenance of public roads and bridges on the state highway system, 2) where the use is by a county, the use will be for the resurfacing, restoration and rehabilitation of the paved county roads and bridges or bridge replacement on the county road system, and 3) where the use is by a municipality, the use will be for resurfacing, restoration, and rehabilitation of roads, bridges, and streets within the municipality, and for bridge replacement within the municipality.

Effective Date: Aug. 1, 2013

Act 2013-373 (HB 323)

Alabama Improvement District Act; Terms of Board Members; Clarifies Procedure for Assessment of Lands within a District

This act amends Sections 11-99A-9, 11-99A-11, 11-99A-13, 11-99A-17, 11-99A-21, 11-99A-30, 11-99A-42 and 11-99A-43; adds Section

11-99A-52; provides for the appointment and terms of members of the board of directors of an Alabama Improvement District; provides for the assessment of lands within a district; assessments will not be made against any land owned or used by a utility in connection with the distribution, transmission, or generation of electric power; in event of nonpayment of the assessment, the board will send notice to the last known address of the owner as shown in the tax assessment records of the tax assessor or revenue commissioner, specifying that foreclosure proceedings may commence within 10 days of the notice if payment is not made; if the board chooses to sell the property to the highest bidder, the property will be sold in the same manner and upon the same notice as provided by law for the sale of lands or property by foreclosure by power of sale for mortgages; once the board declares the highest bidder and receipt of purchase price, the board will deliver a foreclosure deed to the highest bidder, which will vest legal title to the property sold by foreclosure; provides for issuance of bonds; provides for reassessments and amendments to existing assessments; amendments of Alabama Improvement District Act affected by this act will be deemed declarative of existing law and will have prospective and retroactive operation.

Effective Date: May 23, 2013

Act 2013-398 (HB 215)

Distribution of Net Proceeds from Sale of National Guard License Plates; Commitment to Purchase Process for Specialty License Plates; Creation of a Motorcycle License Plate Category; Creation of Out-of-State College and University License Plates; Revisions to Distinctive Firefighter Motor Vehicle Plate; Proof of Payment for Federal Heavy Vehicle Excise Tax; Expiration Dates of Issued Licenses No Longer Applicable for Commercial Motor Vehicles

This act amends Sections 32-6-111.2, 32-6-64, 32-6-67, 32-6-68, 32-6-270, 32-6-272, 32-6-58 and 32-7A-17; repeals Section 40-12-267; distributes the net proceeds from the sale of National Guard license plates to the National Guard Foundation and provides for the use of the funds; authorizes the Commissioner of Revenue to prescribe the manner in which persons make application and remit funds for the commitment to purchase process for specialty license plates; specifies that a sponsoring organization that fails to achieve the required number of commitments may not submit another application for a period of one year; authorizes the Legislative Oversight Committee on License Plates to consider license plate applications for the creation of license plate categories for motorcycles; provides that an application for the creation of a motorcycle license plate category will be for Quantity Class 2 only; provides that if the sponsoring organization is applying for passenger car plate and motorcycle plate categories, separate applications will be required to be filed; provides that the number of commitments to purchase for both passenger car and motorcycle license plate categories will be required to be obtained before the categories will be established and commitments cannot be combined in order to reach the required threshold; allows the

approval of distinctive license plates for out-of-state colleges and universities by the legislative oversight committee after obtaining the certain minimum commitments to purchase; provides for the distribution of the fees from the distinctive license plate to the State General Fund; provides that a retired volunteer firefighter retired from a volunteer fire department in another state will be eligible to obtain a distinctive firefighter motor vehicle tag; provides for the issuance of a distinctive law enforcement memorial license plate; provides for an additional annual fee of \$50 for the license plate and distribution of the proceeds of the additional fee; provides for the design of the tag; deletes the specific weight reference and generally requires an applicant to furnish proof of payment of any federal heavy vehicle excise tax imposed by Title 26, United States Code §4481, on certain motor vehicles prior to the licensing official issuing, transferring, or renewing any motor vehicle registration and license plate for the motor vehicles; provides that when renewing a motor vehicle registration that contains more than one individual or entity listed thereon as a registrant, the valid driver's license or identification card number, a department- approved federal identifying number, national driver's license, or the federal employer identification number for only one of the individuals or entities listed as a registrant will be required to be included within the motor vehicle registration records in the state and county databases; repeals Section 40-12-267, which provides for expiration dates of licenses issued, which are no longer applicable for certain commercial motor vehicles.

Effective Date: Sections 1 and 2 become effective Jan. 1, 2014. Sections 3 and 4 become effective May 23, 2013

Act 2013-402 (HB 514)

Allows Proceeds from Four-Cent Excise Tax on Gasoline and Lubricating Oil Distributed to Counties to be Used for Vegetation Management

This act amends Section 40-17-362; repeals Section 40-17-224; adds definition of "vegetation management"; allows the proceeds of the four-cent per gallon excise tax on gasoline and lubricating oil distributed to counties to be used for vegetation management on the rights-of-way of county roads including, but not limited to, restoration and maintenance and cleaning of the full width of the right-of-way through the use of herbicides, heavy equipment, and other means.

Effective Date: Aug. 1, 2013

Act 2013-424 (HB 455)

Counties Granted Power to Designate Qualifying Large Contiguous Tracts of Underutilized Real Property as Major 21st Century Manufacturing Zones

This act amends Sections 11-99-1 and 11-99-2, as amended by Act 2013-51 enacted at the 2013 Regular Session of the Legislature of Alabama; authorizes a county to designate certain real property as a Major 21st Century Manufacturing Zone as a tax increment district; Major 21st Century Manufacturing Zone is defined as any

area aggregating not less than 250 contiguous acres of real property determined by a local governing body to be: 1) located, in whole or part, within its boundaries or corporate limits, 2) suitable for the site of an automotive, automotive-industry related, aviation, aviation-industry related, medical, pharmaceutical, semiconductor, computer, electronics, energy conservation, cyber technology, or biomedical industry manufacturing facility or facilities, and 3) an area within which not less than \$100,000,000 of capital expenditure in connection with the establishment, expansion, construction, equipping, development, rehabilitation, or redevelopment of the facility or facilities is anticipated to be made based upon representations and information provided by the anticipated user or users of the facility or facilities and other information that the local governing body has available to it and deemed appropriate; upon the creation of a tax increment district, the tax increment base must be determined; the tax increment base is defined as the aggregate value, as equalized by the Alabama Department of Revenue, of all taxable property located within the tax increment district on the date the district is created; each October 1 following the creation of a tax increment district, the equalized value of all taxable property in the district is determined.

Effective Date: May 23, 2013

Act 2013-443 (SB 240)

Exempts Durable Medical Equipment, Prosthetics and Orthotics Devices and Medical Supplies from Any State, County and Municipal Sales and Use Taxes

This act expands the sales and use tax exemption for durable medical equipment to include prosthetics and orthotics devices, and medical supplies, as defined under the Medicare program, that are sold pursuant to a valid prescription and billed by a third party payer (private insurance company) from any state, county and municipal sales and use taxes; exempt items include, but are not limited to, any of the following: 1) durable medical equipment, including repair parts and the disposable or single patient use supplies required for the use of the equipment, 2) medical oxygen and related equipment and supplies, 3) prosthetic and orthotic devices, and 4) medical supplies, as defined and covered under the Medicare program, including, but not limited to, catheters, catheter supplies, ostomy bags and supplies related to ostomy care, specialized wound care products, and similar items that are covered by and billed to a third party payer.

Effective Date: Oct. 1, 2014

Local Revenue-related Acts

Act 2013-170 (HB 04)

Tax Exemption for Lurleen B. Wallace Community College Foundation and Calhoun Community College Foundation

This act exempts the Lurleen B. Wallace Community College Foundation and the Calhoun Community College Foundation, in furtherance of its charitable purposes, from any state, county, and

local ad valorem, sales and use taxes.

Effective Date: April 30, 2013

Act 2013-199 (HB 271)

Distribution of TVA Payments in Morgan County

This act further provides for the distribution and expenditure of in-lieu-of-taxes payments received from the Tennessee Valley Authority distributed to Morgan County; repeals act 2011-267 of the 2011 Regular Session.

Effective Date: Oct. 1, 2013

Act 2013-225 (SB 249)

Alters/Rearranges Boundary Lines/Corporate Limits of Alabaster in Shelby County

This act alters, rearranges, and extends the boundary lines and corporate limits of the City of Alabaster in Shelby County.

Effective Date: Aug. 1, 2013

Act 2013-228 (SB 325)

Authorizes Automated Traffic Safety Law Enforcement in City of Center Point in Jefferson County as a Civil Violation

This act authorizes automated traffic safety law enforcement in the City of Center Point in Jefferson County as a civil violation; provides certain procedures to be followed by the city using automated photographic traffic enforcement; provides that the owner of a vehicle involved in running a traffic light, stop sign, or violating the speed limit in the city is presumptively liable for a civil violation and the payment of a specified fine; provides procedures to contest liability; provides for jurisdiction in Jefferson County and the City of Center Point over civil violations and allows petitions for judicial review in the Jefferson County Circuit Court for trial de novo; creates a cause of action for any person held responsible for payment of the fine against the person who was actually operating a vehicle during the commission of a civil violation defined in this act.

Effective Date: Aug. 1, 2013. Effective the first day of month following the expiration of 60 days after its approval by the Governor, or its otherwise becoming law.

Act 2013-230 (SB 357)

Alters/Rearranges Boundary Lines/Corporate Limits of Foley in Baldwin County

This act alters, rearranges, and extends the boundary lines and corporate limits of the City of Foley in Baldwin County.

Effective Date: Aug. 1, 2013

Act 2013-231 (SB 358)

Alters/Rearranges Boundary Lines/Corporate Limits of Foley in Baldwin County

This act alters, rearranges, and extends the boundary lines and corporate limits of the City of Foley in Baldwin County.

Effective Date: Aug. 1, 2013

Act 2013-232 (SB 359)

Alters/Rearranges Boundary Lines/Corporate Limits of Foley in Baldwin County

This act alters, rearranges, and extends the boundary lines and corporate limits of the City of Foley in Baldwin County.

Effective Date: Aug. 1, 2013

Act 2013-235 (SB 395)

Alters/Rearranges Boundary Lines/Corporate Limits of Fairhope in Baldwin County

This act alters, rearranges, and extends the boundary lines and corporate limits of the City of Fairhope in Baldwin County.

Effective Date: Aug. 1, 2013

Act 2013-243 (SB 420)

Proceeds from Privilege or License Tax in Baldwin County Distributed to the Historic Blakely Authority

This act amends Section 45-2-244.183; provides for the use of the portion of the proceeds from a privilege or license tax on the leasing or renting of tangible personal property distributed to the Historic Blakely Authority; of the portion distributed to the Historic Blakely Authority, for the fiscal year ending September 30, 2013, and the next two fiscal years, the funds may be expended 50 % for capital outlay and 50 % for operations; in any fiscal year that the authority adds to and supplements its lease tax revenue with contributions of capital expansion funds or other equivalent capital contributions of real or personal property from other sources, an amount of funds from this act earmarked for capital outlay equal to 50 % of the additional contributions for capital outlay or equivalent capital contributions may be expended for operations in lieu of expending for capital outlay.

Effective Date: May 15, 2013

Act 2013-244 (SB 434)

Alters/Rearranges Boundary Lines/Corporate Limits of Florence in Lauderdale County

This act alters, rearranges, and extends the boundary lines and corporate limits of the City of Florence in Lauderdale County.

Effective Date: Aug. 1, 2013

Act 2013-292 (HB 117)

Authorizes the Mobile County Commission to Impose Additional Issuance Fee in Office of License Commissioner

This act authorizes the Mobile County Commission to impose, by resolution, an additional issuance fee not to exceed \$5 on each motor vehicle registration, boat renewal or registration, manufactured home registration, business license application, or other instrument registered or application applied for in the office of the license commissioner; proceeds from the fee will be used by the commission for storage of records and purchase and

maintenance of equipment and technology within the Office of the License Commissioner.

Effective Date: May 21, 2013

Act 2013-296 (HB 235)

Alters/Rearranges Boundary Lines/Corporate Limits of Fort Payne in DeKalb County

This act alters, rearranges, and extends the boundary lines and corporate limits of the City of Fort Payne in DeKalb County.

Effective Date: Aug. 1, 2013

Act 2013-298 (HB 341)

Alters/Rearranges Boundary Lines/Corporate Limits of Tuscaloosa and Northport in Tuscaloosa County

This act alters, rearranges, and extends the boundary lines and corporate limits of the Cities of Tuscaloosa and Northport in Tuscaloosa County to remove certain property from the corporate limits of Tuscaloosa and add the property to Northport.

Effective Date: Aug. 1, 2013

Act 2013-299 (HB 359)

Authorizes Sheriff of Washington County to Collect Motor Vehicle Impoundment Fee When the Vehicle was Being Used to Transport Illegal Drugs

This act authorizes the sheriff of Washington County to collect a motor vehicle impoundment fee in the amount of \$100 when a motor vehicle was impounded by the sheriff because the vehicle was being used to transport illegal drugs; the sheriff will establish and maintain a Sheriff's Vehicle Impoundment Fund and deposit collected proceeds into the fund; the sheriff will keep an account of all monies collected and the transactions of the fund for audit by the Department of Examiners of Public Accounts; all monies deposited into the fund will be expended at the discretion of the sheriff for law enforcement purposes in the interest of the public.

Effective Date: May 21, 2013

Act 2013-303 (HB 433)

Lowers the Convenience Fee per Transaction on the Renewal of a License Plate Made on the Internet, Other Electronic Means, or By Mail, in the Office of the Judge of Probate of Monroe County

This act amends Act 2011-245 of the 2011 Regular Session; lowers the convenience fee per transaction on the renewal of a motor vehicle license plate made on the Internet or by other electronic means, or by mail, in the office of the Judge of Probate in Monroe County to \$2.00; the fees will be collected and deposited in the county general fund.

Effective Date: Aug. 1, 2013

Act 2013-304 (HB 509)

Provides an Additional Expense Allowance and Salary for the Russell County Revenue Commissioner

This act provides for an additional expense allowance and salary for the Russell County Revenue Commissioner, commencing on the first day of the month immediately following the effective date of this act; the Russell County Revenue Commissioner will receive an additional expense allowance in the amount of \$10,000 annually; the cost of the expense allowance will be paid on a prorated basis in the same manner and from the same funds as the salary the revenue commissioner is receiving on the effective date of this act; the expense allowance will be treated in the same manner as salary for purposes of retirement benefits; beginning with the expiration of the term of the incumbent revenue commissioner, the annual salary for the revenue commissioner will be increased by \$10,000 each year and, at that time, the expense allowance in Section 1 will become null and void.

Effective Date: Aug. 1, 2013

Act 2013-314 (SB 338)

Alters/Rearranges Boundary Lines/Corporate Limits of Weaver in Calhoun County

This act alters, rearranges, and extends the boundary lines and corporate limits of the City of Weaver in Calhoun County.

Effective Date: Aug. 1, 2013

Act 2013-318 (SB 468)

Appropriation of TVA Funds in Jackson County

This act amends and reenacts Section 1 of Act 1979-473, 1979 Regular Session, as amended by Act 1999-550 and Act 2012-421; provides for the appropriation of funds received by the county from payments made in lieu of taxes by the Tennessee Valley Authority; will not affect any payments for the fiscal year ending Sept. 30, 2013.

Effective Date: Oct. 1, 2013.

Act 2013-321 (HB 266)

Authorizes City of Auburn to Increase the Special Ad Valorem Tax for Support of Education

This act authorizes the governing body of the City of Auburn, in Lee County, to increase the rate at which there is levied and collected by the city, on all taxable property situated within the city, the special ad valorem tax for the support and furtherance of education; rate increased by 14 mills (\$1.40 on each one hundred dollars) of assessed value.

Effective Date: Contingent upon voter approval

Act 2013-322 (HB 344)

Extends Termination Date of Lodging Tax in Madison County

This act amends Section 4 of Act 2004-418 of the 2004 Regular Session, as amended by Act 2012-442 of the 2012 Regular Session; extends the termination date of lodging tax in Madison County to

Sept. 30, 2032.

Effective Date: May 23, 2013

Act 2013-325 (HB 435)

Authorizes Lee County Commission to Levy Additional Sales and Use Tax outside the Corporate Limits of Auburn, Opelika and Phenix City

This act authorizes the Lee County Commission to levy an additional sales and use tax outside the corporate limits of the Cities of Auburn, Opelika and Phenix City; the county commission may levy a one percent sales and use tax against gross sales, use, storage or other consumption subject to the state sales or use taxes levied by Sections 40-23-2(1), 40-23-2(2) and 40-23-61(a); proceeds collected from the additional sales and use tax to be used for funding a parks and recreation program in the county (50 %) and to provide funding for additional county sheriffs (50 %); provides for the enforcement of the act; provides for referendum.

Effective Date: Contingent upon voter approval

Act 2013-327 (HB 609)

Authorizes Baldwin County to Borrow from the County Oil and Gas Severance Tax Trust Fund

This act amends Section 45-2-245.20; authorizes Baldwin County to borrow from the Baldwin County Oil and Gas Severance Tax Trust Fund created by Act 1989-959; authorizes the trustees to loan, in one transaction only, all or any part of the funds on deposit in the trust fund to Baldwin County; the county commission will have the authority in their discretion, in one transaction only, to borrow the funds from the trust fund and will be required to expend all funds borrowed solely for the purpose of encouraging, promoting, or assisting economic and industrial development in Baldwin County; repayment of the loan will be made in semi-annual installments of principal and interest over a term not to exceed 15 years from the date of the loan, at a rate of interest equal to one percent more than the published market rate payable on 10-year term U.S. Treasury Notes; repaid principal funds will not be borrowed a second time.

Effective Date: May 22, 2013

Act 2013-328 (HB 666)

Allocation and Expenditure of TVA Payments in Morgan County

This act provides for the allocation and expenditure of money received from the Tennessee Valley Authority and distributed to Morgan County pursuant to Act 2010-135, 2010 Regular Session, for fiscal years 2014, 2015 and 2016.

Effective Date: May 22, 2013

Act 2013-344 (HB 497)

Authorizes Crenshaw County Commission to Levy One-Half Percent Sales and Use Tax Increase

This act authorizes the Crenshaw County Commission to levy a

one-half percent sales and use tax increase to be distributed to the Association of Volunteer Fire Departments (75%) for eligible fire departments and emergency medical service organizations, and to the county commission (25%) for fire protection and emergency medical services, and for public safety purposes; upon dissolution or abandonment of any eligible fire department or emergency medical service, any remaining funds or assets will be transferred to the Crenshaw County Association of Volunteer Fire Departments; subject to approval at local referendum; if approved by voter majority, the act will become operative on the first day of the second month following its passage.

Effective Date: Contingent upon voter approval

Act 2013-358 (HB 479)

Clay County Commission Authorized to Sell Gasoline and Diesel Fuel to Volunteer Fire Departments and Rescue Squads

This act authorizes the Clay County Commission to sell gasoline, diesel fuel and other petroleum products to volunteer fire departments and rescue squads serving the county.

Effective Date: May 22, 2013

Act 2013-359 (HB 480)

Special Recording Fee on Real Property and Personal Property Instruments in Shelby County Judge of Probate

This act amends Section 7 of Act 248, of the 1975 Regular Session, as amended by Act 2010-530, 2010 Regular Session; provides for a special recording fee of \$8 on real property and personal property instruments filed for record with the Shelby County Judge of Probate; further provides for the fee and distribution of the additional fee.

Effective Date: Aug. 1, 2013

Act 2013-365 (HB 510)

Recording Fee on Documents Filed for Record with the Russell County Judge of Probate

This act amends Section 1 of Act 2006-360 of the 2006 Regular Session; authorizes a recording fee of \$5 for each instrument filed for record in the office of the judge of probate and for each marriage license issued; the fee will be paid to the county and collected by the Russell County Judge of Probate; the fees will be collected and deposited by the judge of probate in an account managed by the judge of probate and accumulated for the purpose of modernizing the records and record keeping of the probate office, at the discretion of the judge of probate; excess funds may be used to offset the cost to the county general fund for the general operation of the probate office.

Effective Date: Aug. 1, 2013

Act 2013-377 (HB 532)**Establishes County Business License for Door-to-Door Sales in Calhoun County**

This act amends Sections 45-8-70.01 and 45-8-241; establishes a county business license for persons engaged in commercial door-to-door sales promotion of products or services for profit in Calhoun County; provides for violations; provides an automobile allowance for the county commissioner of licenses; provides a citation fee of \$7 for persons cited for failure to pay for a county business license; citation fees will be deposited in the county treasury and \$2 of each fee will be disbursed to the commissioner of licenses for the operation of that office.

Effective Date: Aug. 1, 2013

Act 2013-378 (HB 534)**Repeals Act 1971-393, Relating to Distribution of Calhoun County's Share of State Gasoline Excise Tax**

This act repeals Act 1971-393, 1971 Regular Session, relating to the distribution of a portion of the Calhoun County share of the state gasoline excise tax to incorporated municipalities in the county; Act 1971-393 provides that county commissions or other governing bodies of all counties having populations of not less than 95,000 nor more than 115,000 are authorized and directed to appropriate and set aside seventeen and one-half percent of the county's share of the state gasoline excise tax, to be distributed to several incorporated municipalities in the county on the basis of the ratio of the population of each municipality to the total population of all municipalities in the count according to the most recent federal decennial census; all monies received by municipalities under Act 1971-393 are to be used and expended exclusively for the construction, improvement and maintenance of highways and streets, for traffic control, and related administrative expenses.

Effective Date: July 1, 2013

Act 2013-380 (HB 627)**Concerning the Birmingham-Jefferson County Transit Authority**

This act repeals Act 2004-500 of the 2004 Regular Session, Act 993 of the 1971 Regular Session, Act 204 of the 1971 Third Special Session, Act 329 of the 1973 Regular Session, Act 508 of the 1973 Regular Session and Act 87-449 of the 1987 Regular Session; relates to any transit authority organized under laws authorizing a public corporation for the purpose of providing a public transportation system in any county having a population of not less than 600,000 according to the last or any subsequent federal decennial census; provides for the continued applicability of the act to an authorizing county which had, at one time, been subject to the act, notwithstanding a subsequent change in the county's population; provides for the organization of a transit authority which would govern the establishment and operation of a public transportation system; provides for the fixing of rates, fees, and charges by the authority; provides for the issuance of bonds; provides for the dissolution of the transit authority; provides for the application of

this act to the Birmingham-Jefferson County Transit Authority; provides for the calculation of annual payments by the authorizing county, the principal municipality and any participating municipality; provides for the calculation of ad valorem taxes paid by the authorizing county; provides for the transit authority's discontinuance or reduction in service to any municipality which fails to timely pay for the services; provides for the use of ad valorem taxes to pay, in certain instances, the amounts owed by any municipality.

Effective Date: May 22, 2013

Act 2013-389 (HB 558)**Additional Tax on Tobacco and Tobacco Products in Randolph County**

This act amends Sections 3 and 6 of Act 2003-213 of the 2003 Regular Session, as last amended by Act 2010-402 of the 2010 Regular Session; provides an additional tax on tobacco and tobacco products in Randolph County; the county will contract with the Department of Revenue to purchase stamps; ten percent of the proceeds will be distributed to the Randolph County Equine and Agricultural Association to be used to pursue educational opportunities related to and to promote all types of agriculture in Randolph County and its surrounding area; the funds distributed to the Randolph Industrial Development Council will be expended solely for the recruitment of new or the expansion of existing industries; none of the proceeds distributed to the Randolph County Equine and Agricultural Association or the Randolph Industrial Development Council will be used for salaries.

Effective Date: May 23, 2013

Act 2013-392 (HB 569)**Alters/Rearranges Boundary Lines/Corporate Limits of Woodland in Randolph County**

This act alters, rearranges, and extends the boundary lines and corporate limits of the municipality of Woodland in Randolph County.

Effective Date: May 22, 2013

Act 2013-393 (HB 571)**Levies Additional Sales Tax on Liquor Sold in Dallas County**

This act levies an additional five percent sales tax on liquor sold in Dallas County by entities licensed by the Alcoholic Beverage Control Board; proceeds will be allocated as follows: 1) twenty-five percent to the district attorney for Dallas County, 2) seventy-five percent to the Dallas County Drug Court; taxes will be due and payable to the Director of Revenue or any other county officer or employee charged with the duty of collecting county licenses or privilege taxes, on or before the last day of each month next succeeding the month in which the tax accrues; any person who fails to pay the tax within the time required will pay a delinquent penalty of 10 percent of the amount of tax due, together with interest at the rate of one-half of one percent per month or fraction

from the date on which the tax became due and payable.

Effective Date: Aug. 1, 2013

Act 2013-403 (HB 582)

Establishes Volunteer Fire Districts in Marshall County

This bill allows the Marshall County Commission, under certain conditions, to establish volunteer fire districts for the purpose of preventing fires, or for fire protection, or for recognized scopes of practice of fire departments; provides for the manner in which the district may be formed; authorizes a referendum in each fire district to provide funding for the district through a fire protection service fee, not to exceed \$10, on each occupied residence, dwelling or business; provides for certain exemptions for the service fee; provides for distribution and expenditure of funds; provides that the collection, administration and enforcement of the fee occur as closely as possible at the same time, in the same manner and under the same requirements and laws as are the ad valorem taxes of the state.

Effective Date: May 22, 2013. Fees established at referendum in the fire district.

Act 2013-405 (HB 621)

Increases the Share of TVA Payments Going to the DeKalb County Economic Development Authority

This act amends Section 45-25-160.03; increases the share of TVA in-lieu-of-taxes payments received by DeKalb County going to the DeKalb County Economic Development Authority for the fiscal years beginning Oct. 1, 2013, 2014 and 2015; through fiscal year ending Sept. 30, 2013, the development authority will be appropriated \$50,000; beginning Oct. 1, 2013, the development authority will receive the following appropriations: 1) fiscal year 2013-2014, the first \$75,000, 2) fiscal year 2014-2015, the first \$100,000, 3) fiscal year 2015-2016, the first \$125,000; and 4) in the fiscal year beginning Oct. 1, 2016, the appropriated amount will remain at \$125,000 unless otherwise specified by local act of the Legislature.

Effective Date: May 23, 2013

Act 2013-408 (HB 630)

Increases Special Recording and Indexing Fee in Fayette County

This act amends Section 8 of Act 1986-309 and Sections 1 and 2 of Act 1990-191, now appearing as Section 45-29-83.47; increases the special recording and indexing fee in Fayette County to \$5 for cases filed in probate court, real property and personal property instruments, incorporation, notary bond, name change, and marriage licenses issued by, or marriage ceremony performed by, the judge of probate; provides for deposit and expenditure of fees.

Effective Date: Aug. 1, 2013

Act 2013-409 (HB 633)

Tax Assessor, Tax Collector and Judge of Probate in Wilcox County will assist the County Commission in the Collection of the Solid Waste Fee

This act provides that, upon request, the tax assessor, tax collector, and judge of probate will include the amount owed for the solid waste fees in the bills for the collection of ad valorem taxes and the renewal notices for motor vehicle license plates, and by the collection of the solid waste fees in conjunction with the payment of ad valorem taxes or the renewal of motor vehicle license plates; the Wilcox County Commission, by agreement may authorize the tax assessor, tax collector and judge of probate to retain or receive a portion of any solid waste fees collected as an administrative fee to cover the costs of collection; the net fees collected will be forwarded to the Wilcox County Commission.

Effective Date: Aug. 1, 2013

Act 2013-412 (HB 681)

Authorizes the Formation of the South Lake Martin Fire District in Elmore and Tallapoosa Counties

This act authorizes the formation of the South Lake Martin Fire District for fire protection and emergency medical services near Lake Martin in order to provide support to the Willow Point/Ourtown Fire District and the Windermere Fire District, and provide enhanced services in these districts; authorizes the assessment of a family and home protection fee for the purpose of funding the district; provides for distribution and expenditure of fees; provides for referendum to be created; provides for referendum to establish service charges; the property and income of the district, income from bonds issued by the district, conveyances by or to the district, leases, mortgages and deeds of trust by or to the district will be exempt from all state taxation.

Effective Date: May 22, 2013. Contingent upon voter approval; no fire district will be created unless it is approved by the majority of votes cast at a referendum election in the proposed district. Service charges must also be approved at a referendum election.

Act 2013-427 (HB 616)

Establishes a Consolidated and Unified System for Assessment and Collection of Taxes under the Supervision of Designated Madison County Revenue Commissioner

This act provides for the establishment of a consolidated and unified system for the assessment and collection of taxes under the supervision of an elected county official designated as the Madison County Revenue Commissioner; provides for the election, power, duties, term of office and compensation of official; abolishes the offices of tax assessor and tax collector; provides that the substantive provisions of the act will become effective on approval of the electors.

Effective Date: Contingent upon voter approval

Act 2013-433 (HB 650)

Alters/Rearranges Boundary Lines/Corporate Limits of Springfield in St. Clair County

This act alters, rearranges, and extends the boundary lines and corporate limits of the City of Springville in St. Clair County.

Effective Date: Aug. 1, 2013

Act 2013-434 (HB 654)

Exempts East Alabama Community Development Corporation from Calhoun County and Municipal Sales and Use Taxes

This act exempts the East Alabama Community Development Corporation operating in Calhoun County from any county and municipal sales and use taxes.

Effective Date: Aug. 1, 2013

Act 2013-435 (HB 656)

Appropriation of TVA Funds in Jackson County

This act amends and reenacts Section 1 of Act 1979-473, 1979 Regular Session, as amended by Act 1999-550, and Act 2012-421; provides for the appropriation of funds received by Jackson County, directly or indirectly, from payments made in lieu of taxes by the Tennessee Valley Authority; will not affect any payments for the fiscal year ending Sept. 30, 2013.

Effective Date: Oct. 1, 2013

Act 2013-441 (HB 683)

Authorizes City Governing Body of Midfield in Jefferson County to Levy Additional Ad Valorem Tax

This act authorizes the city governing body of Midfield in Jefferson County to levy an additional ad valorem tax of 14 mills on each dollar of taxable property to be paid to the city general fund and used for general municipal purposes; provides for a referendum and election by a majority of qualified voters in the city.

Effective Date: Contingent upon voter approval

Act 2013-442 (HB 37)

Exempts Food Pantry in Talladega County from State, County and Municipal Sales and Use Taxes

This act exempts, under certain conditions, a food pantry located in Talladega County which distributes food for charitable purposes and which has been granted status as a nonprofit organization under Section 501(c)(3) of the federal Internal Revenue Code from all state, county, and municipal sales and use taxes when it purchases food and food related products for distribution; defines a "food pantry" as a charitable, nonprofit organization which collects, purchases, or otherwise accumulates food and food related items for food distribution without any charge for charitable purchases.

Effective Date: Aug. 1, 2013

Mark Your Calendars



Alabama will hold its eighth annual sales tax holiday, beginning Friday, Aug. 2, 2013, at 12:01 a.m. and ending Sunday, Aug. 4, 2013, at 12 midnight, giving shoppers the opportunity to purchase certain school supplies, computers and clothing free of state sales tax.

Visit ADOR's Website at www.revenue.alabama.gov to view a list of this year's participating cities and counties.

Tax Calendar

(Continued from Page 25)

Nov.

10 • Quarterly NPM certification and bank verification due.

30 • Last day to register and pay fee for manufactured homes without penalty.

Dec.

15 • Fourth installment of estimated corporate income tax due (for calendar-year taxpayers).

31 • Property tax on real and personal property delinquent after this date.

- Expiration of the previous calendar year's motor fuel identification markers.

- Property Tax Assessments Delinquent after this date.

- Last day to claim Exemptions/Abatements on Ad Valorem tax assessments

Administrative Rules

Effective May 14, 2013:

Adopted:

- 810-2-8-.12 Requirements for the Alabama Electronic Business Privilege Tax Return
- 810-2-8-.13 Requirements for the Business Privilege Tax Declaration for Electronic Filing
- 810-2-8-.14 Requirements for Electronic Filing Software
- 810-2-8-.15 Acceptance into the Alabama Electronic Filing Program, Monitoring, and Revocation of Acceptance into the Program

Statement of Gross Tax Collections

Through End of 3rd Quarter FY 2013
(April, May, June 2013)

	FYTD 2012-13	FYTD 2011-12	% Change
Business Privilege Tax	121,520,951.05	108,226,774.40	12.28
Gasoline	297,117,292.97	297,956,654.11	(0.28)
Income Tax - Corporate	370,269,381.30	334,711,816.34	10.62
Income Tax - Individual	2,927,954,688.39	2,734,059,418.86	7.09
Income Tax (Total)	3,298,224,069.69	3,068,771,235.20	7.48
Motor Fuels	101,000,441.72	97,573,159.92	3.51
Oil & Gas Privilege (8%)	65,078,002.38	65,261,459.15	(0.28)
Oil & Gas Production (2%)	21,615,270.88	21,757,429.37	(0.65)
Sales	1,516,570,783.74	1,503,663,940.96	0.86
Use Tax	236,278,553.68	213,770,989.29	10.53
Utility Gross Receipts	295,331,229.69	278,857,654.99	5.91
SUBTOTAL	\$5,952,736,595.80	\$5,655,839,297.39	5.25
SUBTOTAL (OTHER TAXES)	\$1,235,700,783.65	\$1,218,120,751.55	1.44
TOTAL (ALL TAXES)	\$7,188,437,379.45	\$6,873,960,048.94	4.57

Interest Rates Remain the Same for 3rd Quarter of 2013

Interest rates for the calendar quarter beginning July 1, 2013, will remain at three (3) percent, according to Internal Revenue Bulletin No. 2013-26, dated June 24, 2013.

Under Sect. 40-1-44, *Code of Alabama 1975*, the Department of Revenue will calculate interest on underpayments and overpayments (where applicable) at this same annual rate (3 %); however, land sold by the state for taxes, shall be calculated at 12% in accordance with Sect. 40-5-9. (Historical rates shown below.)

Interest Rates By Calendar Quarter

(Established by: 26 USCA §6621; §40-1-44, *Code of Alabama 1975*)

	1ST QTR	2ND QTR	3RD QTR	4TH QTR
2001	9%	8%	7%	7%
2002	6%	6%	6%	6%
2003	5%	5%	5%	4%
2004	4%	5%	4%	5%
2005	5%	6%	6%	7%
2006	7%	7%	8%	8%
2007	8%	8%	8%	8%
2008	7%	6%	5%	6%
2009	5%	4%	4%	4%
2010	4%	4%	4%	4%
2011	3%	4%	4%	3%
2012	3%	3%	3%	3%
2013	3%	3%	3%	

Tax Calendar

Required Monthly Returns Tax Activity

- 10** ● Tobacco use tax return and payment due.
● Monthly Jenkins Act Report
- 15** ● Motor carrier mileage tax return and payment due.
● Oil and gas production tax and privilege tax return and payment due the second month following the month of production.
● Withholding return and payment due from those employers required to remit on a monthly basis.
- 20** ● Coal severance tax return and payment due.
● Coal transporters' and purchasers' returns due.
● Contractors gross receipts tax return and payment due.
● Iron ore severance tax return and payment due.
● Local solid minerals tax returns and payments due.
● Lodgings tax (state and local) return and payment due.
● Lubricating oils tax return and payment due.
● Medicaid-related tax return and payment due for nursing facilities.
● Medicaid tax return and payment due from pharmaceutical service providers.
● Mobile Telecommunication services tax return and payment due.
● Pari-mutuel pool tax return and payment due.
● Prepaid Wireless 9-1-1 Charge return and payment due.
● Rental or leasing tax (state and local) return and payment due.
● Sales tax (state and local) return and payment due.
● Schedule D (NPM Cigarette Activity) report due.
● Tobacco tax (state and county) return, reports and payment due.
● Underground and aboveground storage tank trust fund charge due.
● Uniform Natural Minerals Tax return and payment due.
● Scrap Tire Environmental Fee return and payment due.
● Use tax (state and local) return and payment due.
● Utility gross receipts tax return and payment due.
- 22** ● Blender return and payment due.
● Exporter return due.
● Importer return due.
● Supplier/Permissive Supplier return and payment due.
- 30** ● Hazardous waste fee return and payment due.
- Last day of month ● State horse wagering fee return and payment due.
● Terminal Operator return due.
● Transporter return due.

Quarterly/Annual Tax Activity

(October, November, December 2013)

Oct.

- 1** ● Property tax on real and personal property due.
● Automotive dismantlers and parts recyclers' license due.
● Business privilege license fee due.
● Quarterly Dry Cleaning Trust Fund Fee return and payment due.
● Manufactured home registration and fee due.
● Motor fuel identification markers issued.
● Motor vehicle dealers, reconditioners, rebuilders and wholesalers' license due.
- Note:** Effective Oct. 1, 2003, dealer license plates and manufacturer license plates will be issued through county license plate issuing officials.
- Store and chain store license tax due.
● Utility license (2.2%) return and first quarterly payment due.
- 10** ● Quarterly Hospital Assessment for Medicaid Tax due.
- 14** ● Annual wholesale oil/import license fee return and payment due.
- 20** ● Quarterly sales tax return and payment due.
● Quarterly Solid Waste Disposal Fee return and payment due.
● Quarterly use tax return and payment due.
● Quarterly rental or leasing tax return and payment due.
- 30** ● Quarterly forest products' severance tax return and payment due.
- 31** ● Quarterly withholding return and payment due from employer.
● Quarterly IFTA tax return and payment due.
● Annual business privilege licenses delinquent after this date.
● Quarterly Construction Employer Fee Due.
● Store and chain store licenses delinquent after this date.

(Continued on page 23)