

SENATE, No. 489

STATE OF NEW JERSEY

INTRODUCED JANUARY 22, 1996

By Senator KENNY

1 AN ACT concerning taxpayers' signature requirements on gross income
2 tax returns, amending N.J.S.54A:8-1.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. N.J.S.54A:8-1 is amended to read as follows:

8 54A:8-1. Payment of tax; returns; extension of time. With respect
9 to each taxpayer, the tax imposed by this act shall be due and payable
10 annually, hereafter, in the manner provided in this section:

11 a. Every taxpayer shall annually pay the tax imposed by this act
12 with respect to all or any part of each of his fiscal or calendar
13 accounting years beginning on and after July 1, 1976, to be computed
14 as in this act provided, for such fiscal or calendar accounting year or
15 part thereof, on a return which shall be filed, in the case of a taxpayer
16 reporting on a calendar year basis, on or before April 15 following the
17 close of such calendar year, or, in the case of a taxpayer reporting on
18 a fiscal year basis, on or before the fifteenth day of the fourth month
19 following the close of such fiscal year, and the full amount of the tax
20 shall be due and payable on or before the date prescribed herein for
21 the filing of the return.

22 In the case of a taxable year which ends on or after July 1, 1976,
23 and prior to December 31, 1976, an income tax return for such
24 taxable year shall be filed on or before April 15, 1977.

25 b. Each return shall carry a [certificate signed] signature by the
26 taxpayer [to the effect] that all statements contained therein are true,
27 under the same penalties as for perjury committed. The director is
28 authorized to promulgate regulations and procedures setting forth the
29 manner in which a taxpayer may satisfy the signature requirement.
30 Blank forms of return shall be furnished on application, but failure to
31 secure the form shall not relieve any taxpayer of the obligation of
32 making any return herein required. Subject to regulations under this
33 act and in such form as may be indicated thereby, taxpayers whose net
34 income taxable under this act is or may be subject to tax under a

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 similar law of another jurisdiction may be permitted to file a simple,
2 short form return attached to a copy of his return as filed or about to
3 be filed by him in such other jurisdiction.

4 Subject to regulations under this act, reasonable extensions of time
5 for good cause shown, may be granted for not more than 6 months
6 unless exceptional circumstances justify a longer period, within which
7 returns may be filed.

8 In addition, persons in active service with the Armed Forces of the
9 United States, who may be prevented by distance or injury or
10 hospitalization arising out of such service, may be allowed such
11 extension of time for the filing of returns, without interest or penalty,
12 as may be fixed by regulations under this act.

13 (cf: N.J.S.54A:8-1)

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15 2. This act shall take effect immediately.

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STATEMENT

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20 Under current law, taxpayers are required to certify the accuracy of
21 gross income tax returns by signing their name under penalty of
22 perjury. This signature represents the taxpayer's oath that the
23 information contained in the gross income tax return is accurate and
24 that no intentional attempt has been made to defraud the State.

25 At present, taxpayers can only certify the accuracy of a tax return
26 by written signature. This bill permits the Director of the Division of
27 Taxation to promulgate regulations that allow the use of voice
28 signatures and other technologies, as they evolve, to satisfy the
29 signature requirements of the gross income tax.

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35 Permits the Director of the Division of Taxation in the Department of
36 the Treasury to establish the manner in which the taxpayer signature
requirement on gross income tax returns may be satisfied.