

2013 -- S 0596

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO TAXATION -- BUSINESS CORPORATION TAX

Introduced By: Senators Lombardi, Felag, Walaska, Jabour, and Archambault

Date Introduced: March 06, 2013

Referred To: Senate Corporations

(Secretary of State)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 44-11-21 of the General Laws in Chapter 44-11 entitled "Business
2 Corporation Tax" is hereby amended to read as follows:

3 **44-11-21. Information confidential -- Types of disclosure authorized- Penalties for**
4 **unauthorized disclosure.** -- (a) It is unlawful for any state official or employee to divulge or to
5 make known to any person in any manner not provided by law the amount or source of income,
6 profits, losses, expenditures, or any particular set forth or disclosed in any return, or to permit any
7 return or copy or any book containing any abstract or particulars to be seen or examined by any
8 person except as provided by law. It is unlawful for any person to print or publish in any manner
9 not provided by law any return or any part or source of income, profits, losses, or expenditures
10 appearing in any return.

11 (b) Any offense against this provision is punishable by a fine not exceeding one
12 thousand dollars (\$1,000) or by imprisonment not exceeding one year, or both, at the discretion of
13 the court. If the offender is an officer or employee of the state of Rhode Island, he or she may be
14 dismissed from office or discharged from employment; provided, that the tax administrator may
15 authorize examination of the return by the tax officials regularly in the employ of another state or
16 of the federal government if a reciprocal arrangement exists.

17 (c) In addition, the tax administrator may disclose to the secretary of state the name, state
18 of incorporation, address and other contact information for any corporation that files a tax return
19 with this state; provided, however, that such disclosure shall not include any other information,

1 including any financial information of the corporation. The secretary of state and all employees
2 thereof shall be subject to the confidentiality provision of subsection (a) and the penalty
3 provisions of subsection (b) hereof and shall be prohibited from printing, publishing, divulging
4 and/or disseminating any information received from the tax administrator in any manner not
5 otherwise authorized by law.

6 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would add a provision to the law on confidential information for business
2 corporations by limiting the information the tax administrator may disclose to the secretary of
3 state and the information the secretary of state's office (and its employees) may thereafter
4 disclose.

5 This act would take effect upon passage.

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