

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 6495
OFFERED BY MR. SMITH OF MISSOURI**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Taxpayer Notification
3 and Privacy Act”.

4 SEC. 2. SPECIFICITY OF THIRD-PARTY CONTACT NOTICES.

5 (a) IN GENERAL.—Paragraph (1) of section 7602(c)
6 of the Internal Revenue Code of 1986 is amended—

7 (1) by striking “and” at the end of subpara-
8 graph (A),

9 (2) by redesignating subparagraph (B) as sub-
10 paragraph (C),

11 (3) by inserting after subparagraph (A) the fol-
12 lowing new subparagraph:

13 “(B) in any case in which the information
14 sought to be obtained from such other persons
15 is related to determining tax liability, has not
16 been previously requested from the taxpayer,
17 and could reasonably be provided by the tax-
18 payer, identifies each specific item of informa-

1 tion intended to be sought from such persons,
2 and”, and

3 (4) by amending subparagraph (C), as redesign-
4 nated by paragraph (2), to read as follows:

5 “(C) except as otherwise provided by the
6 Secretary, provides the taxpayer with reason-
7 able opportunity (including, in any case to
8 which subparagraph (B) applies, by providing
9 the information described in such subpara-
10 graph) and a period of not less than 45 days
11 (or more, if the taxpayer requests additional
12 time and shows reasonable cause) to respond
13 before contact is made with such other per-
14 sons.”.

15 (b) EXCEPTION.—Section 7602(c)(3) of the Internal
16 Revenue Code of 1986 is amended—

17 (1) by redesignating subparagraphs (A), (B),
18 and (C) as clauses (i), (ii), and (iii), respectively,
19 and by moving such clauses 2 ems to the right,

20 (2) by striking “EXCEPTIONS.—This sub-
21 section” and inserting “EXCEPTIONS.—

22 “(A) IN GENERAL.—This subsection”, and

23 (3) by adding at the end the following new sub-
24 paragraph:

1 “(B) EXCEPTION FOR INFORMATION SPEC-
2 IFICITY.—Subparagraph (B) of paragraph (1)
3 (and so much of subparagraph (C) of para-
4 graph (1) as relates to such subparagraph (B))
5 shall not apply to information sought from a
6 person other than the taxpayer if the Secretary
7 determines that such information is nec-
8 essary.”.

9 (c) EFFECTIVE DATE.—The amendments made by
10 this section shall apply to notices provided under section
11 7602(c) of the Internal Revenue Code of 1986 after the
12 date that is 12 months after the date of the enactment
13 of this Act.

