

113TH CONGRESS
1ST SESSION

H. R. 1570

To amend title 31, United States Code, to provide for the regulation of
tax return preparers.

IN THE HOUSE OF REPRESENTATIVES

APRIL 15, 2013

Mr. RICHMOND introduced the following bill; which was referred to the
Committee on Ways and Means

A BILL

To amend title 31, United States Code, to provide for the
regulation of tax return preparers.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Taxpayer Protection
5 and Preparer Fraud Prevention Act of 2013”.

6 **SEC. 2. REGULATION OF TAX RETURN PREPARERS.**

7 (a) IN GENERAL.—Section 330 of title 31, United
8 States Code, is amended by adding at the end the fol-
9 lowing new subsection:

10 “(e)(1) The Secretary of the Treasury may—

1 “(A) regulate tax return preparers who do not
2 practice as representatives of persons before the De-
3 partment of the Treasury; and

4 “(B) before licensing or certifying a person as
5 a tax return preparer, require that the person dem-
6 onstrate—

7 “(i) good character;

8 “(ii) good reputation;

9 “(iii) necessary qualifications to enable the
10 person to provide to persons valuable service;
11 and

12 “(iv) competency to perform the functions
13 of a tax return preparer.

14 “(2) For purposes of this section, the term ‘tax re-
15 turn preparer’ has the meaning given such term by section
16 7701(a)(36) of the Internal Revenue Code of 1986.”.

17 (b) DISCIPLINARY PROCEDURES.—Subsection (b) of
18 section 330 of title 31 of such Code is amended—

19 (1) by inserting “or tax return preparer” after
20 “representative” each place it appears, and

21 (2) by inserting before the period at the end of
22 paragraph (4) the following: “, or for whom a return
23 or claim for refund is being or is to be prepared”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 this section shall take effect on the date of the enactment
3 of this Act.

4 **SEC. 3. AUTHORITY TO IMPOSE A FEE FOR LICENSING.**

5 (a) IN GENERAL.—Subsection (a) of section 7528 of
6 the Internal Revenue Code of 1986 is amended—

7 (1) by inserting “other similar requests, and”
8 at the end of paragraph (1), and

9 (2) by amending paragraph (2) to read as fol-
10 lows:

11 “(2) regulating representatives and tax return
12 preparers under section 330 of title 31, United
13 States Code.”.

14 (b) AVERAGE FEE REQUIREMENT.—Paragraph (3)
15 of section 7528(b) of such Code is amended by adding at
16 the end the following flush sentence: “The fees charged
17 pursuant to the regulation of representatives and tax re-
18 turn preparers shall be reasonable, as determined by the
19 Secretary.”.

20 (c) EFFECTIVE DATE.—The amendments made by
21 this section shall apply with respect to returns for taxable
22 years ending after the date of the enactment of this Act.

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