

# SENATE BILL No. 32

January 25, 2005, Introduced by Senator SWITALSKI and referred to the Committee on Finance.

A bill to amend 1967 PA 281, entitled  
"Income tax act of 1967,"  
by amending section 311 (MCL 206.311), as amended by 2004 PA 199.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 311. (1) The taxpayer on or before the due date set for  
2 the filing of a return or the payment of the tax, except as  
3 otherwise provided in this act, shall make out a return in the form  
4 and content as prescribed by the commissioner, verify the return,  
5 and transmit it, together with a remittance of the amount of the  
6 tax, to the department.

7           (2) Except as otherwise provided in subsection (5), the  
8 department, upon application of the taxpayer and for good cause  
9 shown, may extend under prescribed conditions the time for filing

1 the annual or final return required by this act. Before the  
2 original due date, the taxpayer shall remit with an application for  
3 extension the estimated tax due. In computing the tax due for the  
4 tax year, interest at the rate established in, and penalties  
5 imposed by, section 23 of 1941 PA 122, MCL 205.23, shall be added  
6 to the amount of tax unpaid for the period of the extension. The  
7 department may require a tentative return and payment of an  
8 estimated tax.

9 (3) Taxpayers who are husband and wife and who file a joint  
10 federal income tax return pursuant to the internal revenue code  
11 shall file a joint return.

12 (4) Except as provided in subsection (5), if the taxpayer has  
13 been granted an extension or extensions of time within which to  
14 file a final federal return for a ~~taxable~~ **TAX** year, the filing of  
15 a copy of the extension or extensions automatically extends the due  
16 date of the final return under this act for an equivalent period.  
17 The taxpayer shall remit with the copy of the extension or  
18 extensions the estimated tax due. In computing the tax due for the  
19 tax year, interest at the rate established in, and penalties  
20 imposed by, section 23 of 1941 PA 122, MCL 205.23, shall be added  
21 to the amount of tax unpaid for the period of the extension.

22 (5) If the taxpayer is eligible for an automatic extension of  
23 time within which to file a federal return based on service in a  
24 combat zone, the due date for filing an annual or final return or a  
25 return and payment of an estimated tax under this act is  
26 automatically extended for an equivalent period of time. The  
27 taxpayer is not required to file a copy of any federal extension,

1 but shall print "COMBAT ZONE" in red ink at the top of his or her  
2 return when the return is filed. The taxpayer is not required to  
3 pay the amount of tax due at the time the return is originally due,  
4 and the department shall not impose any interest or penalties for  
5 the amount of tax unpaid for the period of the extension.

6 (6) FOR TAX YEARS THAT BEGIN AFTER DECEMBER 31, 2004, THE  
7 DEPARTMENT SHALL DEVELOP A 1040 PC ANNUAL RETURN FORM AND IMPLEMENT  
8 A 1040 PC FILING OPTION. ONLY TAXPAYERS WHO WERE RESIDENTS OF THIS  
9 STATE FOR THE ENTIRE TAX YEAR AND WHO CLAIM NO CREDITS UNDER THIS  
10 ACT FOR A TAX YEAR ARE ELIGIBLE TO FILE USING THE 1040 PC ANNUAL  
11 RETURN FORM FOR THAT TAX YEAR. THE 1040 PC ANNUAL RETURN FORM SHALL  
12 BE THE SIZE OF A POSTCARD AND INCLUDE ONLY THE FOLLOWING ITEMS:

13 (A) THE NAME, ADDRESS, SOCIAL SECURITY NUMBER, AND SCHOOL  
14 DISTRICT DESIGNATION OF THE TAXPAYER OR TAXPAYERS FILING THE  
15 RETURN.

16 (B) THE TOTAL NUMBER AND THE AMOUNT OF PERSONAL AND DEPENDENCY  
17 EXEMPTIONS CLAIMED BY THE TAXPAYER OR TAXPAYERS FOR THE TAX YEAR.  
18 THE FORMULA AND A WORKSHEET FOR DETERMINING THE PERSONAL AND  
19 DEPENDENCY EXEMPTIONS FOR TAXPAYERS THAT FILE THE 1040 PC ANNUAL  
20 RETURN SHALL BE PRINTED IN THE INSTRUCTION BOOKLET FOR THE ANNUAL  
21 RETURN AND NOT PRINTED ON THE RETURN.

22 (C) TOTAL ADJUSTED GROSS INCOME FROM THE TAXPAYER'S OR  
23 TAXPAYERS' FEDERAL ANNUAL RETURN.

24 (D) TAXABLE INCOME.

25 (E) THE INCOME TAX RATE AND MULTIPLIER.

26 (F) THE TAX OWED.

27 (G) THE AMOUNT OF TAX WITHHELD.

1           (H) THE AMOUNT OF TAX DUE TO THIS STATE OR TO BE REFUNDED TO  
2 THE TAXPAYER OR TAXPAYERS. THERE SHALL BE ONLY 1 LINE ON THE 1040  
3 PC ANNUAL RETURN FORM TO DESIGNATE THE AMOUNTS UNDER THIS  
4 SUBDIVISION.

5           (I) A SIGNATURE, DATE, AND DECLARATION THAT THE INFORMATION  
6 PROVIDED IS TRUE AND COMPLETE. THE INFORMATION REQUIRED UNDER THIS  
7 SUBDIVISION SHALL BE ON NO MORE THAN 2 LINES.