

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to establish a Virginia Free File tax program.*

3 [H 1349]

4 Approved

5 **Be it enacted by the General Assembly of Virginia:**

6 **1.** § 1. *That no later than December 31, 2010, the Tax Commissioner shall establish a Virginia Free*
7 *File program based on the Internal Revenue Service (IRS) Free File program, as established by the IRS*
8 *under public rulemaking and set forth in the Federal Register, Vol. 67, No. 213, Monday, November 4,*
9 *2002, pages 67247-67251, as other states have done. Such program shall be effective for the filing*
10 *period for the 2010 calendar year individual income tax returns and every calendar year thereafter.*

11 *To implement the Virginia Free File program, the Commonwealth shall enter into a non-monetary*
12 *agreement with companies in the electronic tax preparation and filing industry (the Consortium for*
13 *Virginia) to work together to offer free, online tax return preparation and filing services to 70 percent*
14 *of Virginia taxpayers with the lowest incomes, the same as the IRS Free File program for federal*
15 *taxpayers. The Consortium for Virginia shall offer these free tax services to certain Virginia taxpayers*
16 *at no cost to the Commonwealth. The Commonwealth shall provide eligible taxpayers with links through*
17 *the Department of Taxation's website to the free services offered by the Consortium for Virginia*
18 *participants.*

19 *The Virginia Free File agreement to be established between the Commonwealth and the Consortium*
20 *of Virginia shall be based upon the agreement between the IRS and the Consortium of Virginia that was*
21 *signed by the IRS Commissioner on October 30, 2002, and that was most recently modified and*
22 *extended on November 5, 2009, and the bilateral commitments, rules, and requirements contained*
23 *therein, and shall be consistent with IRS Publications 1345 and 3112.*

24 *The Commonwealth shall, using available resources, coordinate efforts with the IRS Free File*
25 *program, the Free File Alliance, and the Internal Revenue Service to maximize among eligible Virginia*
26 *taxpayers (a) awareness of the Virginia Free File program and (b) the claiming of the federal earned*
27 *income tax credit.*

ENROLLED

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