

VIRGINIA ACTS OF ASSEMBLY -- 1998 SESSION

CHAPTER 335

An Act to amend and reenact § 58.1-478 of the Code of Virginia, relating to income tax withholding statements.

[S 475]

Approved April 9, 1998

Be it enacted by the General Assembly of Virginia:

1. That § 58.1-478 of the Code of Virginia is amended and reenacted as follows:

§ 58.1-478. Withholding tax statements for employees; employers must file annual returns with Tax Commissioner.

A. Every person required to deduct and withhold from an employee's wages under this article shall furnish to each such employee in respect to the remuneration paid by such person to such employee during the calendar year, on or before January 31 of the succeeding year, or if his employment is terminated before the close of such calendar year, on the day on which the last payment of remuneration is made, a written statement in duplicate showing the following: (i) the name of such person; (ii) the name of the employee and his social security account number; (iii) the total amount of wages; and (iv) the total amount deducted and withheld under this article by such employer.

B. The written statements required to be furnished pursuant to this section in respect of any remuneration shall be furnished at such other times, shall contain such other information, and shall be in such form as the Tax Commissioner may by regulations prescribe.

C. Every employer shall file an annual return with the Tax Commissioner, setting forth such information as the Tax Commissioner may require, not later than ~~January 31~~ February 28 of the calendar year succeeding the calendar year in which wages were withheld from employees, and such annual return shall be accompanied by an additional copy of each of the written statements furnished each employee under subsections A and B of this section.

D. The Tax Commissioner shall have the authority to require every employer to furnish the names and social security numbers of all employees whose wages or withholding amounts for the taxable year are below levels specified by the Commissioner.

2. That the provisions of this act shall apply to annual returns required to be filed by employers during calendar years beginning on and after January 1, 1999.