

2008 SPECIAL SESSION II

INTRODUCED

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HOUSE BILL NO. 6039

Offered June 23, 2008

A BILL to amend the Code of Virginia by adding in Chapter 22 of Title 58.1 an article numbered 11, consisting of a section numbered 58.1-2291, relating to reporting requirements on persons selling or transferring possession of certain fuels to retailers.

Patron—Marshall, R.G.

Referred to Committee on Finance

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 22 of Title 58.1 an article numbered 11, consisting of a section numbered 58.1-2291, as follows:

Article 11.

Quarterly Reporting of Motor Fuel Sold to Retailers.

§ 58.1-2291. Quarterly reporting of motor fuel sold to retailers.

In addition to all other reporting requirements under this chapter, any person selling or transferring possession of any fuel subject to tax under this chapter to a retailer, including a retailer of alternative fuel, shall file an information return with the Department reporting the number of gallons of such fuel sold or transferred to such retailers for sale at retail. Such persons shall include in such return the name and address of each retailer to whom such fuel was sold or transferred, the number of gallons of such fuel sold or transferred to each retailer for sale at retail, and the number of gallons of such fuel sold or transferred for sale at retail in each county and city. Beginning with the calendar quarter ending March 31, 2009, such return shall be filed with the Department by the twentieth of each month following the end of every calendar quarter and shall include the information required herein for the most recently ended calendar quarter.

Any person who fails to file such information return or who files a false or fraudulent return shall be subject to a civil penalty. The amount of the civil penalty assessed against a person for his first violation shall be \$500. The amount of the civil penalty assessed against a person for each subsequent violation shall be \$1,000 for each such violation.

2. That the Department of Motor Vehicles shall, by no later than January 1, 2009, develop an information return to be used for reporting the information required by this act.

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