

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 An Act to amend the Code of Virginia by adding in Article 4 of Chapter 3 of Title 58.1 a section
3 numbered 58.1-356, relating to reporting of payments by third-party settlement organizations.

4 [H 730]

5 Approved

6 Be it enacted by the General Assembly of Virginia:

7 1. That the Code of Virginia is amended by adding in Article 4 of Chapter 3 of Title 58.1 a
8 section numbered 58.1-356 as follows:

9 § 58.1-356. *Reporting of payments by third-party settlement organizations.*

10 A. As used in this section:

11 "Participating payee" has the same meaning as that term is defined in § 6050W of the Internal
12 Revenue Code.

13 "Reportable payment transactions" has the same meaning as that term is defined in § 6050W of the
14 Internal Revenue Code.

15 "Third-party settlement organization" has the same meaning as that term is defined in § 6050W of
16 the Internal Revenue Code.

17 B. Any third-party settlement organization shall report to the Department, and to any participating
18 payee, all information required by § 6050W of the Internal Revenue Code with respect to reportable
19 payment transactions made on or after January 1, 2020 to such participating payee. For the purposes of
20 this requirement, the de minimis limitations of § 6041(a) of the Internal Revenue Code shall apply in
21 lieu of the de minimis limitations of § 6050W(e) of the Internal Revenue Code. This section shall apply
22 only with respect to participating payees with a Virginia mailing address.

23 C. Any information required by this section shall be reported to the Department on forms and using
24 an electronic medium prescribed by the Tax Commissioner. The Tax Commissioner shall have the
25 authority to waive the requirement to submit this information electronically upon a determination that
26 the requirement creates an unreasonable burden on the third-party settlement organization that is
27 required to report information pursuant to this section. All requests for waiver shall be transmitted to
28 the Tax Commissioner in writing.

29 D. Any information required by this section shall be reported to the Department and participating
30 payees within 30 days of the relevant federal deadlines for reporting such information. This requirement
31 shall be applied as if the de minimis limitations of § 6041(a) of the Internal Revenue Code had been
32 imposed for federal purposes rather than the de minimis limitations of § 6050W(e) of the Internal
33 Revenue Code.

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