

STATEMENT IN LIEU OF A JOB IMPACT STATEMENT

DEPARTMENT OF TAXATION AND FINANCE

A Job Impact Statement is not being submitted with this rule because it is evident from the subject matter of the rule that it could have no impact on jobs and employment opportunities. The purpose of the rule is to advance tax administration, elevate the professionalism of the tax return preparation industry, and protect NYS taxpayers. The rule imposes educational and testing requirements, and provides minimum standards of conduct for registered tax return preparers. The rule further provides for sanctions for failure to satisfy these requirements, or for deviation from the conduct standards.

The rule imposes minimal educational and testing requirements, as well as basic standards of conduct. A beginning commercial tax return preparer must initially complete 16 credit hours of annual continuing professional education (“CPE”) and pass a one-time competency exam; after satisfying this requirement for one year, he or she must complete only 4 hours of CPE annually. Experienced tax return preparers are required to complete 4 hours of CPE annually and pass the one-time competency exam. These requirements balance the need to protect taxpayers against the need to avoid imposing undue burdens on tax return preparers.