



State of Tennessee
PUBLIC CHAPTER NO. 658

HOUSE BILL NO. 2406

By Representative Ragan

Substituted for: Senate Bill No. 2422

By Senator McNally

AN ACT to amend Tennessee Code Annotated, Section 67-1-804 and Section 67-4-2015, relative to extensions of time to file franchise and excise tax returns.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 67-4-2015(g)(1), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(g)

(1)

(A) An extension of time of six (6) months in which to file the franchise and excise tax return shall be granted if, on or before the original due date of the return, the extension request is made as required in subdivision (g)(2) and the taxpayer has paid franchise and excise taxes equal to at least the lesser of:

(i) Ninety percent (90%) of the liability for the tax year for which the extension is being requested; or

(ii) One hundred percent (100%) of the tax shown due on the tax return for the preceding tax year, annualized if the preceding tax year was for less than twelve (12) months; provided, however, if there was no liability for the preceding tax year, the amount paid shall equal the minimum tax amount provided in § 67-4-2119.

(B) A taxpayer electing to compute its net worth on a consolidated basis shall make its franchise, excise tax extension request and compute the payment thereon taking into consideration that its net worth will be computed on a consolidated basis.

(C) Where the taxes paid on or before the original due date of the return do not equal the amount provided in subdivision (g)(1)(A), or if the return is not filed by the extended due date, penalty as provided by § 67-1-804 and interest as provided by § 67-1-801(a) shall attach as though no extension had been granted.

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it, and shall apply to tax periods ending on or after July 1, 2012.

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PASSED: MARCH 19, 2012



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 4th day of April 2012



BILL HASLAM, GOVERNOR