

POLICY RECOMMENDATION

ISSUE: Execution of Extensions; Who May Sign.

The 1992 individual extension (Form 760E) has been revised into a smaller, voucher type format. There is no longer a signature line on the form for a tax preparer. The form used for 1991 contained a line labeled "Signature of Taxpayer's agent, if prepared by other than taxpayer." A second line was labeled "Personal or business relationship of agent to taxpayer and reason for agent's signature."

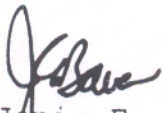
The general perception of tax practitioners is that anyone authorized to sign a federal extension may sign a Virginia extension. Federal extensions may be signed by: 1) anyone with a power of attorney, and 2) Attorneys, CPA's, and enrolled agents. In addition, individual extensions may be signed by a person standing in a close personal or business relationship to the taxpayer who is signing because the taxpayer cannot. In these cases, there must be a good reason why the taxpayer cannot sign, such as illness or absence.

While it has been the policy of the department to require the signature of the taxpayer or his representative holding a power of attorney, it has been the practice of the department to accept extensions signed by practitioners.

RECOMMENDATION:

Whenever a taxpayer has requested an automatic federal extension, the department will accept a Virginia extension that is signed by an individual who is authorized to sign the federal extension.

Virginia "Type B" extensions, which are granted in the absence of a federal extension (Va. Code §§ 58.1-344 (B) and 58.1-453 (B)) will require the signature of the taxpayer, or a person holding the taxpayer's power of attorney.



Janie E. Bowen, ~~Director~~
Tax Policy Division

2/17/93
Date

Approved: 

W. H. Forst
Tax Commissioner

2/17/93
Date