

APA-1

Transmittal Sheet For Notice Of Intended Action

Control: 810

Department or Agency: Revenue

Rule Nos: 810-8-1-.71

Rule Title: Electronic Filing of Compressed Natural Gas (CNG) Personal Producer Annual Application Fee Reports

New; Amended; Repealed; Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that result from the absence of the proposed rule? N/A

Are all the facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed rule have any economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975 and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.



Signature of certifying officer
Date 02/20/2018

APA-6
10/96

**ECONOMIC IMPACT STATEMENT
FOR APA RULE
(Section 41-22-23(f))**

Control No. 810 Department or Agency REVENUE

Rule No: 810-8-1-.71

Rule Title: **Electronic Filing of Compressed Natural Gas (CNG) Personal Producer Annual Application Fee Reports**

X New _____ Amend _____ Repeal _____ Adopt by Reference

- NO This rule has no economic impact.
 YES This rule has an economic impact, as explained below:

1. NEED/EXPECTED BENEFIT OF RULE:
2. COSTS/BENEFITS OF RULE AND WHY RULE IS THE MOST EFFECTIVE, EFFICIENT, AND FEASIBLE MEANS FOR ALLOCATING RESOURCES AND ACHIEVING THE STATED PURPOSE:
3. EFFECT OF THIS RULE ON COMPETITION:
4. EFFECT OF THIS RULE ON COST OF LIVING AND DOING BUSINESS IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:
5. EFFECT OF THIS RULE ON EMPLOYMENT IN THE GEOGRAPHICAL AREA HERE THE RULE IS TO BE IMPLEMENTED:
6. SOURCE OF REVENUE TO BE USED FOR IMPLEMENTING AND ENFORCING THIS RULE:
7. THE SHORT-TERM/LONG-TERM ECONOMIC IMPACT OF THIS RULE ON AFFECTED PERSONS, INCLUDING ANALYSIS OF PERSONS WHO WILL BEAR THE COSTS AND THOSE WHO WILL BENEFIT FROM THE RULE:
8. UNCERTAINTIES ASSOCIATED WITH THE ESTIMATED BENEFITS AND BURDENS OF THE RULE, INCLUDING QUALITATIVE/QUANTITATIVE

BENEFITS AND BURDEN COMPARISON:

9. THE EFFECT OF THIS RULE ON THE ENVIRONMENT AND PUBLIC HEALTH:

10. DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE RULE IS NOT IMPLEMENTED:

11. OTHER COMMENTS:

ALABAMA DEPARTMENT OF REVENUE
Business License Tax

NOTICE OF INTENDED ACTION

RULE NO. & TITLE

810-8-1-.70

Electronic Filing of Compressed Natural Gas (CNG)/Liquefied Natural Gas (LNG) Alternative Fuel Monthly Tax Returns (NEW RULE)

INTENDED ACTION

New

SUBSTANCE OF PROPOSED ACTION:

The department proposes to adopt the above rule to provide guidance to taxpayers on when the Department considers electronically submitted returns and payments timely.

RULE NO. & TITLE

810-8-1-.71

Electronic Filing of Compressed Natural Gas (CNG) Personal Producer Annual Application Fee Reports

INTENDED ACTION

New

SUBSTANCE OF PROPOSED ACTION:

The department proposes to adopt the above rule to provide guidance to taxpayers on when the Department considers electronically submitted returns and payments timely.

TIME, PLACE, MANNER OF PRESENTING VIEWS: A public hearing will be held at **02:00 PM on Tuesday, April 10, 2018, Room 1203, First Floor**, Gordon Persons Building, located at 50 N Ripley Street, Montgomery, Alabama. Copies of the rule(s) can be obtained at <http://www.revenue.alabama.gov/tax-policy/>.

All interested parties may present their views in writing to the **Secretary of the Alabama Department of Revenue, Room 4131, Gordon Persons Building, 50 N Ripley Street, Montgomery, Alabama 36132** at any time following publication of the notice up until the conclusion of the hearing. Interested parties may also appear at the hearing to present their views.


FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Tuesday, April 10, 2018

CONTACT PERSON AT AGENCY:

Meagan Barrett

Alabama Department of Revenue
4131 Gordon Persons Building
Montgomery, Alabama 36132
(334) 242-1380


Michael D. Gamble, Secretary
Alabama Department of Revenue

**Rule 810-8-1-.71 – Electronic Filing of Compressed Natural Gas (CNG)
Personal Producer Annual Application Fee Reports (NEW RULE)**

(1) Pursuant to Chapter 30 of Title 40, the department is authorized to accept tax returns or other documents on a form filed electronically. Beginning January 1, 2019, and each calendar year thereafter, § 40-17-168.2, Code of Ala. 1975, requires all personal producers of CNG to file an annual application fee in lieu of payment of excise tax. These reports will be required to be filed electronically through the department's electronic filing system.

(2) The CNG Personal Producer Annual Application Fee Report will be considered timely filed when due if filed electronically by the last day before the report is considered delinquent. The amount due with the report will be considered timely paid if paid in accordance with the rules of the electronic funds transfer provider.

(3) This rule will become effective on October 1, 2018, to coincide with the effective date of Act 2017-229.

Author: Bonita Calhoun.
Authority: §§ 40-2A-7(a)(5), 40-17-168, and Chapter 30 of Title 40, Code of Ala. 1975.
History: New Rule: Effective October 1, 2018.