

SENATE BILL No. 394

May 24, 2011, Introduced by Senators WARREN, JOHNSON, GREGORY, HOOD, HOPGOOD, YOUNG and ANDERSON and referred to the Committee on Economic Development.

A bill to require employers to provide employees with information concerning eligibility for the federal earned income tax credit.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "earned income tax credit notification act".

3 Sec. 2. As used in this act:

4 (a) "Department" means the department of treasury.

5 (b) "EITC" means the federal earned income tax credit.

6 (c) "Eligibility information" means information designated by
7 the department under section 4 concerning eligibility requirements
8 for the EITC.

9 (d) "Employee" means an individual who is employed by an

1 employer for compensation.

2 (e) "Employer" means an individual or a private, public, or
3 governmental entity doing business in this state that employs 5 or
4 more individuals for compensation.

5 Sec. 3. (1) Not later than January 31 of each year, an
6 employer shall provide each of the employer's employees with
7 information regarding the EITC, including general eligibility
8 requirements and instructions for claiming the credit. An employer
9 shall provide the information by 1 or more of the following
10 methods:

11 (a) Inclusion with the employee's annual wage summary or with
12 the federal W-2 or 1099 form.

13 (b) By electronic mail to the employee's work electronic mail
14 address.

15 (c) By mailing to the employee at the employee's last known
16 home or mailing address.

17 (2) An employer shall post eligibility information in every
18 workplace in a location where notices to employees are normally
19 posted.

20 Sec. 4. The department shall designate standard eligibility
21 information for use by employers in meeting the requirements of
22 section 3. The eligibility information shall be posted on the
23 department's internet website in a downloadable format.