

HB 2180 -- MAIL SENT BY STATE DEPARTMENTS

SPONSOR: Griffith

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Local Government by a vote of 15 to 0. Voted "Do Pass" by the Standing Committee on Rules-Administrative by a vote of 10 to 0.

Currently, a notice of deficiency from the Department of Revenue must be sent via certified or registered mail.

This bill authorizes the Department to send a notice of deficiency to taxpayers, other than individuals, electronically, upon request. For individual taxpayers, the Department can send the notice of deficiency by first-class mail or electronically at the taxpayer's request.

The bill removes a requirement that any notice sent to an applicant or recipient of the blind pension fund must be sent by certified mail. Instead, the bill allows the notice to be sent by mail delivered by the United States Postal Service, except that, for any notice of adverse actions, as specified in the bill, the notice must also be sent by certified mail delivered by the USPS at the applicant's or recipient's address of record.

Further, this bill removes a requirement that notices of assessments by the Executive Director of the Ethics Commission be sent by mail or registered mail.

This bill is similar to HB 520 (2025) and HB 1489 (2024).

PROPOSERS: Supporters say that certified mail is in many ways more costly and more inconvenient than first-class mail. A significant portion of the notices sent by the Department of Revenue through certified mail do not receive responses. Especially for people who are blind, certified mail imposes numerous additional and unnecessary hurdles on time-sensitive notices. This bill will save the State money and be more convenient for people receiving notices.

Testifying in person for the bill were Representative Griffith; Zachary Wyatt, Department of Revenue; and Brian Wehkamp.

OPPOSERS: Those who oppose the bill say that certified mail is better than first-class mail. If notices are to be sent electronically, various requirements not articulated in the bill need to be imposed on the process. Other types of notice should

be optional in addition to certified mail, not in lieu of certified mail. If the Department of Revenue is not getting responses to notices sent by certified mail it needs to try harder to reach people.

Testifying in person against the bill was Arnie C. Dienoff.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.