

**RCW 82.32.590 Annual tax performance reports—Failure to file.**

(1) If the department finds that the failure of a taxpayer to file an annual tax performance report under RCW 82.32.534 by the due date was the result of circumstances beyond the control of the taxpayer, the department must extend the time for filing the tax performance report. The extension is for a period of thirty days from the date the department issues its written notification to the taxpayer that it qualifies for an extension under this section. The department may grant additional extensions as it deems proper.

(2) In making a determination whether the failure of a taxpayer to file an annual tax performance report by the due date was the result of circumstances beyond the control of the taxpayer, the department must be guided by rules adopted by the department for the waiver or cancellation of penalties when the underpayment or untimely payment of any tax was due to circumstances beyond the control of the taxpayer.

(3)(a) Subject to the conditions in this subsection (3), a taxpayer who fails to file an annual tax performance report required under subsection (1) of this section by the due date of the report is entitled to an extension of the due date. A request for an extension under this subsection (3) must be made in writing to the department.

(b) To qualify for an extension under this subsection (3), a taxpayer must have filed all annual tax performance reports, if any, due in prior years under subsection (1) of this section by their respective due dates, beginning with annual reports due in calendar year 2010.

(c) An extension under this subsection (3) is for ninety days from the original due date of the annual tax performance report.

(d) No taxpayer may be granted more than one ninety-day extension under this subsection (3). [2017 c 135 s 3; 2011 c 174 s 306. Prior: 2010 c 137 s 1; 2010 c 114 s 135; 2009 c 461 s 7; prior: 2008 c 81 s 13; 2008 c 15 s 7; prior: 2006 c 354 s 17; 2006 c 300 s 10; 2006 c 177 s 8; 2006 c 112 s 7; 2006 c 84 s 7; 2005 c 514 s 1001.]

**Effective date—2017 c 135:** See note following RCW 82.32.534.

**Application—2010 c 137:** "Section 1 of this act applies to annual surveys and reports due under any of the statutes listed in RCW 82.32.590(1) in calendar year 2011 and thereafter." [2010 c 137 s 2.]

**Application—Finding—Intent—2010 c 114:** See notes following RCW 82.32.534.

**Effective date—Contingent effective date—2009 c 461:** See note following RCW 82.04.280.

**Findings—Savings—Effective date—2008 c 81:** See notes following RCW 82.08.975.

**Effective date—2008 c 15:** See note following RCW 82.82.010.

**Effective dates—2006 c 354:** See note following RCW 82.04.4268.

**Effective dates—Contingent effective date—2006 c 300:** See note following RCW 82.04.261.

**Effective date—2006 c 177 ss 1-9:** See note following RCW 82.04.250.

**Effective date—2006 c 84 ss 2-8:** See note following RCW 82.04.2404.

**Findings—Intent—2006 c 84:** See note following RCW 82.04.2404.

**Retroactive application—2005 c 514 s 1001:** "Section 1001 of this act applies retroactively to annual surveys required under RCW 82.04.4452 that are due after December 31, 2004." [2005 c 514 s 1312.]

**Effective date—2005 c 514:** See note following RCW 82.04.4272.

**Part headings not law—Severability—2005 c 514:** See notes following RCW 82.12.808.