

SEC. 7216. DISCLOSURE OR USE OF INFORMATION BY PREPARERS OF RETURNS.

7216(a) GENERAL RULE. --Any person who is engaged in the business of preparing, or providing services in connection with the preparation of, returns of the tax imposed by chapter 1, or any person who for compensation prepares any such return for any other person, and who knowingly or recklessly --

7216(a)(1) discloses any information furnished to him for, or in connection with, the preparation of any such return, or

7216(a)(2) uses any such information for any purpose other than to prepare, or assist in preparing, any such return, shall be guilty of a misdemeanor, and, upon conviction thereof,

shall be fined not more than \$1,000, or imprisoned not more than 1 year, or both, together with the costs of prosecution.

7216(b) EXCEPTIONS. --

7216(b)(1) DISCLOSURE. --Subsection (a) shall not apply to a disclosure of information if such disclosure is made --

7216(b)(1)(A) pursuant to any other provision of this title, or

7216(b)(1)(B) pursuant to an order of a court.

7216(b)(2) USE. --Subsection (a) shall not apply to the use of information in the preparation of, or in connection with the preparation of, State and local tax returns and declarations of estimated tax of the person to whom the information relates.

7216(b)(3) REGULATIONS. --Subsection (a) shall not apply to a disclosure or use of information which is permitted by regulations prescribed by the Secretary under this section. Such regulations shall permit (subject to such conditions as such regulations shall provide) the disclosure or use of information for quality or peer reviews.

Code Section 7216 Historical Amendment Notes

IRC-HIST, 2009-CODE-VOL

DISCLOSURE OR USE OF INFORMATION BY PREPARERS OF RETURNS. —History notes applicable to entire section.

1971, Revenue Act of 1971 (P.L. 92-178)

P.L. 92-178, §316(a):

Added Code Sec. 7216. **Effective** 1-1-72.

IRC-HIST, 2009-CODE-VOL

DISCLOSURE OR USE OF INFORMATION BY PREPARERS OF RETURNS. —Subsec (a), GENERAL RULE

1988, Technical and Miscellaneous Revenue Act of 1988 (P.L. 100-647)

P.L. 100-647, §6242(b):

Amended Code Sec. 7216(a) by striking out “and who —” and inserting in lieu thereof “and who knowingly or recklessly —”. **Effective** for disclosures or uses after 12-31-88.

1984, Deficit Reduction Act of 1984 (P.L. 98-369)

P.L. 98-369, §412(b)(10):

Amended Code Sec. 7216(a) by striking out “or declarations or amended declarations of estimated tax under section 6015,” following “chapter 1”, and by striking out “return or declaration” each place it appeared and inserting in lieu thereof “return”. **Effective** with respect to tax years beginning after 12-31-84.

IRC-HIST, 2009-CODE-VOL

DISCLOSURE OR USE OF INFORMATION BY PREPARERS OF RETURNS. —Subsec (b), EXCEPTIONS. —

1989, Omnibus Budget Reconciliation Act of 1989 (P.L. 101-239)

P.L. 101-239, §7739(a):

Amended Code Sec. 7216(b)(3) by adding at the end thereof a new sentence. **Effective** 12-19-89.

1976, Tax Reform Act of 1976 (P.L. 94-455)

P.L. 94-455, §1906(b)(13)(A):

Amended 1954 Code by substituting “Secretary” for “Secretary or his delegate” each place it appeared. **Effective** 2-1-77.