



Utah State Tax Commission
210 North 1950 West • Salt Lake City, UT 84134 • 801-297-2200 or 1-800-662-4335

TC-87
Rev. 8/16

2016 Letter of Intent Utah Tax Software Provider Registration Form

Complete this form to request approval from the Utah State Tax Commission to provide tax preparation software for electronic forms submission. By completing this form, you agree to comply with all national security summit standards and requirements, in addition to the specific state requirements identified in this registration form. If your submitted form is not complete, we will deny your request.

Note: Please complete a registration form for each unique product your company offers. Email the completed form(s) to: mef@utah.gov.

Section 1: General Information

Company name	Product name	State software ID	
DBA name	NACTP member number	State account number (if applicable)	
Address	City	State	ZIP code
Website address/URL	Company FEIN		

Section 2: Contact Information

Primary individual MeF contact name	
Phone	Email
Secondary individual MeF contact name	
Phone	Email
Primary business MeF contact name*	
Phone	Email
Secondary business MeF contact name	
Phone	Email

*If you have separate contacts for each tax type, please attach a separate contact list.

Section 3: Identification Numbers

Test EFIN(s)	Test ETIN(s)
Production EFIN(s)	Production ETIN(s)

▶Section 4: Types of Software Products

- Do-It-Yourself (DIY)/Consumer (web-based)
- Do-It-Yourself (DIY)/ Consumer (desktop)
- Professional/Paid Preparer (web-based)
- Professional/Paid Preparer (desktop)

▶Section 5: Tax Types Supported (check all that apply)

- Individual Income Tax, TC-40
- Individual Income Tax Return Payment, TC-547
- Estate/Trust/Fiduciary Tax, TC-41
- Fiduciary Income Tax Prepayment, TC-548
- Fiduciary Income Tax Return Payment, TC-549
- Corporate/Franchise Tax, TC-20
- S-Corporation Return, TC-20S
- Partnership Tax, TC-65
- Corporate/Partnership Payment, TC-559

Software limitations: _____

▶Section 6: National Security Summit Standards and Requirements

National standards have been developed to protect taxpayers from identity theft tax refund fraud. You are agreeing to adhere to all IRS, State and Industry Security Summit guidelines as a condition of providing tax software product(s) to taxpayers and tax professionals for individual and business income tax MeF.

Standards in this section apply to all Do-It-Yourself (DIY) Consumer and Professional, Paid Preparer Products, tax professional, and volunteer (VITA) products.

Note: Items highlighted in blue indicate a national security summit standard or requirement document. A comprehensive list of those documents is also provided at the end of this document.

▶Section 6(a): Authentication Data Elements

Nationally identified **Authentication Data Elements** in the state e-standards schema sets have been established to identify and authenticate a taxpayer and prevent identity theft tax refund fraud. Tax software providers are required to transmit all data elements included in the state authentication data elements when available. If you are not providing all data elements, you must explain what you are not providing and why you are unable to provide them in the space provided below.

▶Section 6(b): Authentication Trusted Customer Requirements

Nationally identified minimum **Industry Trusted Customer Requirements** have been established to authenticate the customer logging in and prevent identity theft tax refund fraud. Tax software providers are required to adhere to the minimum standards. You must verify you are adhering to minimum standards in the space provided below.

1. Describe the process in which the new and returning tax professionals gain access to use your product. Attach a separate sheet if necessary.

2. How do you use out-of-band verification practices for your customer account verification process? Please describe what you do and how it is used. Attach a separate sheet if necessary.

3. Do you meet nationally recognized standards for implementing customer account authentication by using:

A. The standards identified in the Identity Authentication section of the 2017 Industry Trusted Customer Requirements? Please explain how you meet those standards. Attach a separate sheet if necessary.

B. An equivalent standard for identity authentication that meets or exceeds the minimum requirements? If yes, please describe your proposed process. Attach a separate sheet if necessary.

4. For the online Do-It-Yourself software, when there is more than one account using a Primary and/or Secondary SSN this or the previous year:

A. Do you notify both account holders that the SSN is used within another account for the current and previous year? (This also requires including the appropriate authentication review code within the return schema when the SSN is used in another account for the current and previous year.); OR

B. Do you notify both account holders that the SSN is used within another account only for the current year? (This also requires including the appropriate authentication review code within the return schema when the SSN is used in another account for the current and previous year.)

▶Section 6(c): Information Sharing

Nationally identified **Information Sharing** standards for analyzing and reporting questionable activity associated with identity theft tax refund fraud have been established. You are required to provide regular leads reporting according to the information sharing requirements.

►Section 6(d): Rapid Response Process

Nationally identified **Rapid Response** procedures have been established. When industry, states, or the IRS discover an incident or threat of significance in the tax ecosystem, the rapid response process must be activated.

Tax software providers should:

- Conduct initial analysis and immediately take steps to block or contain any threat.
- Share detailed information with the impacted states as soon as it becomes available and permitted by applicable laws, regulations, and relevant information sharing agreements.
- Initiate the rapid response team per the Rapid Response document.

Note: If the tax software provider fails to timely notify the affected state of a significant, escalating issue, their ability to submit returns to the state may be removed.

►Section 6(e): Safeguarding E-file/Information

Nationally recognized rules and standards to safeguard e-file from fraud and abuse have been established.

All Individual (1040 family) return providers must adhere to the *Safeguarding E-File Standards* as outlined in IRS Publication 1345.

All business return providers must adhere to the *MeF Rules Protecting Taxpayer Information* and *Safeguarding MeF Data from Fraud and Abuse* sections of IRS Publication 4163. This includes sections 2.3, 2.4, and 2.5 of the publication.

Note: If the tax software provider fails to adhere to these rules and standards as published by the IRS for the respective return types submitted to the Utah State Tax Commission, their ability to submit such returns to the Tax Commission may be removed. This includes reporting security-related incidents to the Tax Commission.

►Section 6(f): Strategic Threat Assessment & Response (STAR)

Nationally identified **Security Control** standards have been established. Tax software providers must adhere to these security controls. Please provide answers to the questions listed below. Attach a separate sheet if necessary.

1. Have you implemented the current requirements defined in the Security Control standard? At what level will your company implement the STAR security controls for the filing season? If no, please provide an explanation of your current progress and remediation plans. Please provide documentation to validate your statement.

2. Have you implemented controls beyond the first year's requirements? If yes, please explain what you have implemented.

►Section 7: National Disclosure and Use of Information Standards

Nationally established language has been developed for the disclosure and use of information related to filing a tax return. This section provides the language to which tax software providers must adhere.

►Section 7(a): Tax Service Provider Definitions

In this section, "tax services provider" is defined three different ways:

1. An **Electronic Return Originator (ERO)** is an authorized IRS e-file Provider that originates the electronic submission of returns to the IRS.
2. A **Software Developer** is an authorized IRS or state e-file Provider that develops software for the purposes of (a) formatting the electronic portions of returns according to Publication 4164 or state specifications and/or (b) transmitting the electronic portion of returns directly to the IRS or the state. A Software Developer may also sell its software.
3. A **Transmitter** is an authorized IRS or state e-file Provider that transmits the electronic portion of a return directly to the IRS or the state. An entity that provides a "bump up" service is also a Transmitter. A bump up service provider increases the transmission rate or line speed of formatted or reformatted information that it is sending to the IRS or the state via a public switched telephone network.

Note: A tax service provider may serve its customers in more than one of these roles.

▶Section 7(b): Disclosure and Use of Information Language

A tax services provider may use any tax return information provided by a taxpayer, for the current or prior tax years, for the purpose of identifying a suspicious or potentially fraudulent return that claims to be from, or related to, that taxpayer. For these purposes, “tax return information” means any and all documents or materials that the tax services provider uses in the course of the return preparation and submission process that are provided by the taxpayer or that are required by the taxing authority that the tax services provider uses in the course of the return preparation and submission.

Tax service providers must produce analytic compilations of federal and state tax return and submission information that directly relate to the internal management or support of the tax services provider's business, which must include aggregated data compilations to identify potentially fraudulent behaviors or patterns.

Tax services providers must disclose the compilations of tax information to the Tax Commission through IRS secure data transmission on at least a weekly basis and identify by use of federal and state submission IDs any return the preparer believes is potentially fraudulent.

In addition, if a tax services provider has a bona fide belief that a particular individual's activity, violated a state or federal law, the tax services provider must disclose that individual's tax return information to the Tax Commission.

The following consent language must be added to electronic filing software to notify the user of the use of this information.

For Do-It-Yourself software:

By using a computer system and software to prepare and transmit return(s) electronically, I consent to the disclosure of all information pertaining to my use of the system and software to the Utah State Tax Commission, as applicable by law, and to the transmission of my tax return(s).

For Tax Professional software:

By using a computer system and software to prepare and transmit my client's return electronically, I consent to the disclosure of all information pertaining to my use of the system and software to create my client's return and to the electronic transmission of my client's tax return to the Utah State Tax Commission, as applicable by law.

For Business software:

By using a computer system and software to prepare and transmit this business return electronically, I consent to the disclosure of all information pertaining to the user of the system and software to create this business return and to the electronic transmission of this business tax return to Utah State Tax Commission.

▶Section 8: National Security Summit Standards and Requirements Documents

The most recent version of national security summit standards and requirements documents referenced below are available to states through the Federation of Tax Administrators (FTA) website for state revenue agencies, and through the State Exchange System (SES) for industry partners approved by a member state. National security summit standards and requirements documents include those addressing:

- Authentication Data Elements
- Information Sharing
- Rapid Response Procedures
- Security Control Standards
- Industry Trusted Customer

▶Section 9: State Questions, Requirements, and Standards

This section represents the state-specific requirements and standards for tax software providers.

▶Section 9(a): Standards and Requirements for Transferring Data Year-over-Year

Transferring data year-over-year that is not initially entered accurately causes issues with processing tax returns. The following items should not be transferred year over year:

- State driver's license data elements
- State withholding account numbers

