

INCOME TAX ACT OF 1967 (EXCERPT)
Act 281 of 1967

206.687 Furnishing copy of return filed under internal revenue code; amended return; partnership audit or adjustment reporting.

Sec. 687.

(1) A taxpayer required to file a return under this part may be required to furnish a true and correct copy of any return or portion of any return filed under the provisions of the internal revenue code.

(2) Except as provided in subsection (3), a taxpayer shall file an amended return with the department showing any alteration in or modification of a federal income tax return that affects its tax base under this part. The amended return must be filed within 180 days after the final determination date. This subsection does not apply to the reporting of a final federal adjustment arising from a partnership level audit or an administrative adjustment request required to be reported under chapter 18.

(3) For tax years that begin on and after January 1, 2018, a partnership that is not subject to chapter 18, but has determined that the partners' share of income, deductions, and credits previously reported to its partners and included in a return filed under this part requires adjustment, may, at the discretion of the department, file a report with the department and pay the tax due or claim a refund on behalf of its partners in a manner similar to the process set forth in chapter 18. Any refund issued to the partnership under this subsection is in lieu of any overpayment of taxes that may be claimed by the partners.

(4) A taxpayer that expects to owe additional tax as a result of a pending federal audit may make payments, in a form and manner as prescribed by the department, prior to the final determination date. The department shall credit any payments made under this subsection against any tax liability due on that taxpayer's amended return filed as a result of the federal audit. Payments made under this subsection limit the accrual of any further statutory interest on the amount due. If the department finds that the taxpayer has overpaid the tax due on the amended return, a refund of the overpayment must immediately be made as provided in section 30 of 1941 PA 122, MCL 205.30.

(5) As used in this section:

(a) "Administrative adjustment request", "final federal adjustment", and "partnership level audit" mean those terms as defined in section 721.

(b) "Final determination date" means that term as defined in section 325.

History: Add. 2011, Act 38, Eff. Jan. 1, 2012 ;-- Am. 2022, Act 148, Imd. Eff. July 19, 2022

Compiler's Notes: Enacting section 1 of Act 148 of 2022 provides: "Enacting section 1. This amendatory act is retroactive and applies to all tax years that begin on and after January 1, 2018."