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ACLU OF RI POSITION: SUPPORT

TESTIMONY ON 22-S 2595, AN ACT RELATING TO STATE TAX OFFICIALS March 17, 2022

The ACLU of Rhode Island supports this legislation which would require the tax administrator to prepare one-time data that shows the amount of taxes paid by individuals and entities that file their taxes through use of an Individual Tax Identification Number, rather than a Social Security Number. The release of this data would, we believe, show that immigrants in Rhode Island who do not qualify for an SSN are productive members of the community paying taxes and contributing to the financial well-being of the state.

We have seen the objections raised against the legislation by the Division of Taxation. While we agree some minor tweaks to the language of the bill would help clarify the legislation's goal, we believe the Division's broader concerns about the burden that would be imposed on them to gather the requested information are overwrought and unjustified.

First, the request for this information is not a recurring obligation on the Division, but is limited to one report for one particular time period. Second, the Division's concerns about not being able to identify ITIN versus SSN tax returns appear unwarranted as well. [According to the IRS](#), ITIN numbers are specially assigned by having "9" as the first number of their nine-digit ID, and thus are easily recognizable.¹ There is no need for the Division to revamp tax forms, require taxpayers to disclose which type of number they are using, or otherwise engage in time-consuming activities to single out ITIN returns from others in order to gather the information the bill seeks.

In light of the useful information that would be generated by the report this legislation seeks to have prepared, any minor administrative burdens on the Division provide insufficient grounds for the executive branch to oppose this useful legislation. We therefore support the committee's passage of it.

Thank you for your consideration.

¹ <https://www.irs.gov/individuals/international-taxpayers/taxpayer-identification-numbers-tin>