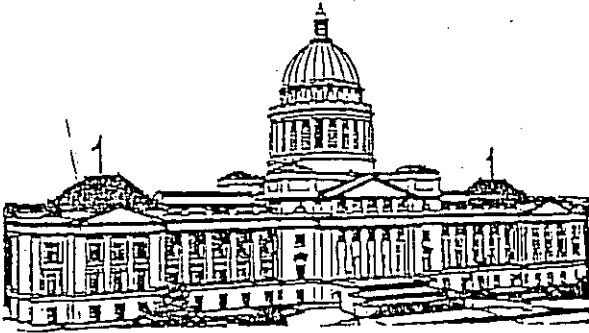


ARKANSAS REGISTER

Transmittal Sheet



Sharon Priest
Secretary of State
State Capitol Rm. 01
Little Rock, Arkansas 72201-1094

For Office Use Only: Effective Date 10/24/98 Code Number 906.05.98 -- 025

Name of Agency Department of Finance & Administration

Department Revenue Division

Contact Person Don Zern Phone 682-7751

Statutory Authority for Promulgating Rules Ark. Code Ann 26-18-301
Regulation 1998-7 Prohibition Against Browsing

Intended Effective Date

Legal Notice Published : 9/12/98

☐ Emergency

Final Date for Public Comment 10/2/98

☒ 10 Days After Filing

Filed With Legislative Council 9/17/98

☐ Other

Reviewed by Legislative Council Yes

Adopted by State Agency 10/12/98

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with Act 434 of 1967 As Amended.

Don Zern
Signature

682-7751
Phone Number

Taxpayer Information Officer

Title

October 14, 1998

Date

FILED
ARK. REGISTER DIV.
98 OCT 14 PM 12:50
OFFICE OF THE
SECRETARY OF STATE
STATE OF ARKANSAS

Revenue Regulation 1998-7

Prohibition Against Browsing or Unauthorized Access

Pursuant to the authority provided in Ark. Code Ann. § 19-1-208 (1987), Ark. Code Ann. § 26-18-301 (1987) and Ark. Code Ann. § 25-15-201, et. seq. (1987) (the Arkansas Administrative Procedures Act), the Acting Director of the Arkansas Department of Finance and Administration hereby promulgates the following Regulation.

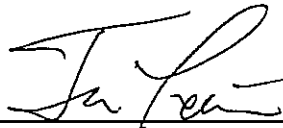
In accordance with the confidentiality provisions of ACA 26-18-303 and 26-51-813, all Department employees have an ethical and legal obligation to respect the privacy of taxpayers and any information entrusted to the Department. As such, and in compliance with the Taxpayer Browsing Protection Act (also known as the Unauthorized Access (UNAX) Act) (Public Law 105-35), all employees are strictly prohibited from browsing, or engaging in any unauthorized access and/or inspection of, taxpayer information. "Employee" is defined to include all temporary, probationary and permanent employees, at all grades and levels. Therefore, in order to promote and maintain taxpayers' privacy, and preserve the confidentiality and security protections provided by the Department, all employees shall adhere to the following "Privacy Principles":

- Principle 1: Protecting taxpayer privacy and safeguarding confidential taxpayer information is a public trust.
- Principle 2: No information will be collected or used with respect to taxpayers that is not necessary and relevant for tax administration and other legally mandated or authorized purposes.
- Principle 3: Information will be collected to the greatest extent practicable, directly from the taxpayer to whom it relates.
- Principle 4: Information about taxpayers collected from third parties will be verified to the extent practicable with the taxpayers themselves before action is taken against them.
- Principle 5: Personally identifiable taxpayer information will be used only for the purpose for which it was collected, unless other uses are specifically authorized or mandated by law.
- Principle 6: Personally identifiable taxpayer information will be disposed of at the end of the retention period required by law or regulation.
- Principle 7: Taxpayer information will be kept confidential and will not be discussed with, nor disclosed to, any person within or without the Revenue Division other than as authorized by law in the performance of official duties.
- Principle 8: Browsing, or any unauthorized access of taxpayer information by any Revenue Division employee, constitutes a serious breach of the confidentiality of that

information and shall be grounds for termination of employment. Any person who unlawfully engages in browsing or other unauthorized access will be reported to the Internal Revenue Service Office of Inspection and will be subject to all civil and criminal penalties provided by state and federal law.

- Principle 9: Requirements governing the accuracy, reliability, completeness, and timeliness of taxpayer information will be such as to ensure fair treatment of all taxpayers.
- Principle 10 The privacy rights of taxpayers will be respected at all times and every taxpayer will be treated honestly, fairly and respectfully.

Issued and hereby effective this 12th day of October, 1998 in the City of Little Rock, Arkansas.



Tim Leathers, Acting Director
Department of Finance and Administration

FILED
AR. REGISTER DIV.

98 OCT 14 PM 12:50

RECEIVED
CLERK OF STATE
STATE OF ARKANSAS

BY _____

DEPARTMENT: Department of Finance and Administration
DIVISION Revenue Division:
PERSON COMPLETING
THIS STATEMENT: John Theis, Assistant Commissioner of Revenue, Policy and Legal
TELEPHONE NO.: (501) 682-7000
FAX NO.: (501) 682-7900

FINANCIAL IMPACT STATEMENT

To comply with Act 884 of 1995, please complete the following Financial Impact Statement and file with the questionnaire and proposed rules.

SHORT TITLE OF THIS RULE: **Regulation 1998-7 -- (Prohibition Against Browsing or Unauthorized Access)**

1. Does this proposed, amended, or repealed rule or regulation have a financial impact?
Yes: No: **XX**
2. If you believe that the development of a financial impact statement is so speculative as to be cost prohibited, please explain.
3. If the purpose of this rule or regulation is to implement a federal rule or regulation, please give the incremental cost for implementing the regulation. **Does Not Apply.**

1997-98 Fiscal Year

General Revenue: _____
Federal Funds: _____
Cash Funds: _____
Special Revenue: _____
Other: _____
Total: _____

None

1997-98 Fiscal Year

General Revenue: _____
Federal Funds: _____
Cash Funds: _____
Special Revenue: _____
Other: _____
Total: _____

None

4. What is the total estimated cost by fiscal year to any party subject to the, proposed, amended, or repealed rule or regulation? **None.**

1997-98 Fiscal Year

None

1998-99 Fiscal Year

None

5. What is the total estimated cost by fiscal year to the agency to implement this regulation?

1997-98 Fiscal Year

No additional cost

1998-99 Fiscal Year

No additional cost