

regulation. ~~If any individual's employment with an employer is terminated before the end of the calendar year, the statement in duplicate shall be given to him at the time of the last payment to him of salary, wages or compensation for personal services. An additional copy of every such statement shall be sent to the Comptroller not later than January 31 following the year in which the termination of employment occurred.~~ Any employer required under the provisions of this subsection to furnish copies of any such statement, who wilfully fails to furnish a statement as required by law or regulation, or who wilfully furnishes a false or fraudulent statement, shall for each such failure be subject to a civil penalty in the amount of fifty dollars (\$50.00), payable to the Comptroller in the same manner as the tax imposed by this section. In addition, any such wilful act shall be deemed to be a misdemeanor, punishable upon conviction by a fine of not exceeding five hundred dollars (\$500.00) or imprisonment for not exceeding six months, or both, in the discretion of the court.

(2) (i) In any case where the use of form W-2 (wage statement) is required for the purpose of making a return or reporting information, the requirement shall be satisfied by submitting the information required by the form on magnetic tape or other approved media.

(ii) The Comptroller shall adopt regulations providing standards for determining which returns or reporting information must be filed on magnetic tape or other machine readable form, taking into account, among other relevant factors, the ability of a taxpayer to comply at a reasonable cost with the filing requirement.

(iii) The Comptroller may not require the filing of the returns or reporting information on magnetic tape or in other machine readable form unless the employer is required, for federal reporting purposes, to provide the returns or reporting information on magnetic tape or in other machine readable form.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1987.

Approved June 2, 1987.
