



## Temporary Exemption/Suspension Request

Use this form to request a Temporary Exemption or Temporary Suspension from the Financial Institution Record Match (FIRM) program with the Franchise Tax Board (FTB). Refer to PAGE 2 of this form for additional information.

Financial Institution's Name:		Federal Employer Identification Number (FEIN):	
Street Address:		ATTN:	
City:		State:	ZIP Code:
Mailing Address (if different from street address):		ATTN:	
City:		State:	ZIP Code:
Telephone Number: (     )     -	Fax Number: (     )     -	Email Address:	

### Type of Action Submitted:

- 1. Temporary Exemption (Less than 250 accounts). My institution requests a temporary exemption because it has less than 250 open accounts: \_\_\_\_\_
- 2. Temporary Exemption (Other). My institution requests a temporary exemption. Facts exist to grant a temporary exemption under the requirements of R&TC Section 19266(a)(2)(C). Please provide sufficient detail.
- 3. Temporary Suspension. My institution qualifies for a temporary suspension because it has been classified as undercapitalized, significantly undercapitalized, or critically undercapitalized its supervisory banking authority. Please provide the notice from R&TC Section 19266(a)(2)(D).

### Authorized Representative for Financial Institution

Officer's Name (please print):	Title:
Signature:	Date:

# Temporary Exemption/Suspension Request

## Temporary Exemptions

FTB is authorized to exempt a financial institution from the requirements of R&TC Section 19266(a)(2)(C), if FTB determines that the financial institution's participation would not generate sufficient revenue to be cost effective for FTB. A temporary exemption applies to financial institutions holding less than 250 open accounts, unless it would be cost effective for FTB to require the financial institution to comply with the requirements of the FIRM data match process. A financial institution holding less than 250 open accounts may submit a Temporary Exemption Request to the FIRM Program Administrator.

FTB reserves the right to require a financial institution that has been granted temporary exemption to complete and file a FTB 2060, *Election*, with the FIRM Program Administrator and participate in the FIRM data match process. The FIRM Program Administrator shall notify the financial institution in writing of the date that the FTB 2060, *Election*, is to be submitted and the date that the financial institution shall begin participating in the FIRM data match process. If a financial institution believes facts exist for FTB staff to grant a temporary exemption, the financial institution may submit and file a Temporary Exemption Request with the FIRM Program Administrator. The financial institution shall provide sufficient detail for FTB staff to evaluate its request.

FTB shall consider a financial institution's Temporary Exemption Request and respond in writing to the financial institution within sixty (60) calendar days of receipt of the Temporary Exemption Request. Unless otherwise stated, the temporary exemption remains in effect for twelve months from the date of approval or until the FIRM Program Administrator receives written notice from the financial institution that a change has occurred in the underlying facts that warranted the temporary exemption.

Sixty days prior to expiration of the temporary exemption, a financial institution that seeks to renew its temporary exemption status shall complete and submit a new Temporary Exemption Request to the FIRM Program Administrator. Within sixty (60) calendar days of determining that the facts upon which the temporary exemption no longer exists, the financial institution shall notify the FIRM Program Administrator of the change and shall file a FTB 2060, *Election*, with the FIRM Program Administrator to begin participation in the exchange process.

## Temporary Suspension

FTB is authorized to temporarily suspend a financial institution from the requirements of R&TC Section 19266(a)(2)(D), if the financial institution provides FTB with a written notice from its supervisory banking authority that it is determined to be undercapitalized, significantly undercapitalized, or critically undercapitalized as defined by FDIC Regulation 325.103(b) (3), (4), and (5), or NCUA Regulation 702.102. The notice from the supervisory banking authority provided pursuant to this subsection shall be subject to the non-disclosure protections of R&TC Section 19542.

A financial institution that requests a temporary suspension shall submit a Temporary Suspension Request to the FIRM Program Administrator under forms and instructions provided by FTB. FTB shall consider the request and respond to the financial institution in writing within sixty (60) calendar days of the request. If granted, the temporary suspension remains in effect for twelve months from the date of approval. Sixty (60) calendar days prior to the expiration of the grant of the temporary suspension, a financial institution that seeks to renew its temporary suspension status shall complete and submit a new Temporary Suspension Request to the FIRM Program Administrator. Within sixty (60) calendar days of receipt of a written notice from its supervisory banking authority removing the determination, the financial institution shall notify the FIRM Program Administrator of its change in financial condition and shall file a FTB 2060, *Election*, with the FIRM Program Administrator to begin participation in the exchange process.

## Where to Send the Temporary Exemption/Suspension Form

Complete and sign PAGE 1 of this form. Fax it to 916.843.0267 or mail to: FIRM MS A243, FRANCHISE TAX BOARD, PO BOX 1468, SACRAMENTO, CA 95812-1468.

## Form Instructions

**Your Institution's Name and Contact Information:** Enter your institution's name exactly how it appears on the FTB 2060, *Election*. Provide the name, phone number, and email address of the person within your financial institution designated to answer questions about FIRM.

**Type of Action Submitted:** Answer one of the three categories and provide sufficient information for item 2 or 3 (if applicable).

**FIRM Authorization:** An authorized officer of your financial institution shall sign the form.

**Assistance:** To answer questions related to FIRM, email FTBFIRMhelp@ftb.ca.gov.