

AN ACT

relating to the authority of the comptroller of public accounts to issue certain payments to persons who are indebted or delinquent in taxes owed to the state and to state agency reporting requirements regarding such persons.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 403.055, Government Code, is amended by adding Subsections (e-1) and (g-1) to read as follows:

(e-1) This section does not prohibit the comptroller from issuing a warrant or initiating an electronic funds transfer to a person reported properly under Subsection (f) or to the person's assignee if, in accordance with Section 403.0551, the comptroller first retains one or more warrants or electronic funds transfers to the person for a total amount that at least equals the amount necessary to fully deduct the amount of the person's indebtedness to the state or tax delinquency from the amount the state owes the person.

(g-1) A state agency shall provide notice to a person who is the subject of a report made by the agency under Subsection (f), other than a person reported as indebted to the state as provided by Section 231.007, Family Code, at the time the agency makes the report. The notice must:

(1) be given in a manner reasonably calculated to give actual notice to the person;

1           (2) state:

2                   (A) the name of the indebted or delinquent  
3 person;

4                   (B) the amount of the person's indebtedness or  
5 delinquency;

6                   (C) the agency's contact information; and

7                   (D) any options available to eliminate the  
8 indebtedness or delinquency; and

9           (3) include a statement that the person's indebtedness  
10 or delinquency:

11                   (A) has been reported to the comptroller; and

12                   (B) may prohibit the comptroller from issuing a  
13 warrant or initiating an electronic funds transfer to the person  
14 for any amount owed to the person by the state.

15           SECTION 2. This Act takes effect September 1, 2023.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 2691 was passed by the House on April 21, 2023, by the following vote: Yeas 141, Nays 0, 1 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 2691 was passed by the Senate on May 9, 2023, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor