

By: Button

H.B. No. 2691

Substitute the following for H.B. No. 2691:

By: Gervin-Hawkins

C.S.H.B. No. 2691

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the authority of the comptroller of public accounts to  
3 issue certain payments to persons who are indebted or delinquent in  
4 taxes owed to the state and to state agency reporting requirements  
5 regarding such persons.

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

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

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

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

23 (1) be given in a manner reasonably calculated to give  
24 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.