

By: Solomons

H.B. No. 2772

A BILL TO BE ENTITLED

AN ACT

relating to civil penalty for sales and use tax.

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

SECTION 1. Chapter 151, Tax code, is amended by adding Section 151.714 to read as follows:

A person shall pay a penalty of \$1,000 per overcharge if the person fails to cease either collecting tax on a sale that is exempt from tax or overcharging tax on a sale of a taxable item after receiving two prior written notices from the comptroller. The penalty provided by this section is assessed without regard to whether the person has remitted the collected tax to the comptroller.

SECTION 2. This Act takes effect September 1, 2003.