

By: Armbrister

S.B. No. 323

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the additional penalty for costs associated with the
3 collection of delinquent ad valorem taxes by an attorney.

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

5 SECTION 1. Section 33.07, Tax Code, is amended by adding
6 Subsection (e) to read as follows:

7 (e) The penalty may not be imposed or collected if the
8 delinquent taxes, plus applicable penalties and interest imposed
9 under Section 33.01, are paid before the attorney furnishes legal
10 services in connection with collection of the delinquent taxes.
11 For purposes of this subsection, routine investigatory and clerical
12 work or the preparation of a computer-generated demand letter or
13 computer-generated petition initiating a suit to collect the
14 delinquent taxes does not constitute the furnishing of legal
15 services.

16 SECTION 2. Section 33.08, Tax Code, is amended by adding
17 Subsection (f) to read as follows:

18 (f) The penalty may not be imposed or collected if the
19 delinquent taxes, plus applicable penalties and interest imposed
20 under Section 33.01, are paid before the attorney furnishes legal
21 services in connection with collection of the delinquent taxes.
22 For purposes of this subsection, routine investigatory and clerical
23 work or the preparation of a computer-generated demand letter or
24 computer-generated petition initiating a suit to collect the

1 delinquent taxes does not constitute the furnishing of legal
2 services.

3 SECTION 3. The changes in law made by this Act to Sections
4 33.07 and 33.08, Tax Code, apply to a penalty authorized by those
5 sections for the collection of delinquent ad valorem taxes,
6 regardless of the date on which the ad valorem taxes became
7 delinquent.

8 SECTION 4. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2003.