

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

May 5, 2003

TO: Honorable Fred Hill, Chair, House Committee on Local Government Ways and Means

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB725 by Wentworth (Relating to the payment of ad valorem taxes on property erroneously omitted from a tax roll and to the waiver of penalties and interest on an ad valorem tax that becomes delinquent due to the error of a taxing unit or appraisal district.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill would establish a delinquency date for property tax bills that include taxes on property erroneously omitted from previous tax rolls. The delinquency date would be established as February 1 of the first year that would provide the taxpayer at least 180 days after the tax bill is mailed in which to pay the taxes before they become delinquent.

The bill would permit a taxing unit governing body to waive interest on a delinquent property tax bill if an act or omission of an officer, employee, or agent of the taxing unit or appraisal district caused or resulted in the taxpayer's failure to pay the tax before the delinquency date.

Finally, the bill would shorten the period during which a taxpayer must pay a delinquent tax to qualify for a waiver of penalties and interest. The period would be reduced from the third anniversary of the date the taxpayer knows or should know of the delinquency, to the 21st day after the taxpayer knows or should know of the delinquency.

Since the bill would not impact taxable property values reported to the Commissioner of Education by the Comptroller's office, no fiscal impact to the State is anticipated.

Local Government Impact

Passage of the bill would increase the time frame for payment of taxes on property erroneously omitted from past tax rolls and could have the effect of delaying payment of property taxes to some taxing units. Taxing units electing to waive interest on delinquent property taxes would at their discretion reduce local revenue by an undetermined amount; however, the shortening of the period during which a taxpayer must pay delinquent taxes and qualify for a waiver would somewhat offset the potential impact of a local decision to waive interest.

Source Agencies: 304 Comptroller of Public Accounts

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