

1-1 By: Villarreal (Senate Sponsor - Averitt) H.B. No. 401
1-2 (In the Senate - Received from the House May 12, 2005;
1-3 May 13, 2005, read first time and referred to Committee on
1-4 Jurisprudence; May 20, 2005, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;
1-6 May 20, 2005, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 401 By: Averitt

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to providing information to certain persons about the
1-11 availability of volunteer income tax assistance programs and the
1-12 federal earned income tax credit.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subchapter B, Chapter 231, Family Code, is
1-15 amended by adding Section 231.122 to read as follows:

1-16 Sec. 231.122. COOPERATION WITH VOLUNTEER INCOME TAX
1-17 ASSISTANCE PROGRAMS. (a) In order to maximize the amount of any
1-18 tax refund to which an obligor may be entitled and which may be
1-19 applied to child support and medical support obligations, the Title
1-20 IV-D agency shall cooperate with volunteer income tax assistance
1-21 programs in the state in informing obligors of the availability of
1-22 the programs.

1-23 (b) The Title IV-D agency shall publicize the services of
1-24 the volunteer income tax assistance programs by distributing
1-25 printed materials regarding the programs and by placing information
1-26 regarding the programs on the agency's Internet website.

1-27 (c) The Title IV-D agency is not responsible for producing
1-28 or paying the costs of producing the printed materials distributed
1-29 in accordance with Subsection (b).

1-30 SECTION 2. Subchapter B, Chapter 531, Government Code, is
1-31 amended by adding Section 531.087 to read as follows:

1-32 Sec. 531.087. DISTRIBUTION OF EARNED INCOME TAX CREDIT
1-33 INFORMATION. (a) The commission shall ensure that educational
1-34 materials relating to the federal earned income tax credit are
1-35 provided in accordance with this section to each person receiving
1-36 assistance or benefits under:

1-37 (1) the child health plan program;

1-38 (2) the financial assistance program under Chapter 31,
1-39 Human Resources Code;

1-40 (3) the medical assistance program under Chapter 32,
1-41 Human Resources Code;

1-42 (4) the food stamp program under Chapter 33, Human
1-43 Resources Code; or

1-44 (5) another appropriate health and human services
1-45 program.

1-46 (b) In accordance with Section 531.0317, the commission
1-47 shall, by mail or through the Internet, provide a person described
1-48 by Subsection (a) with access to:

1-49 (1) Internal Revenue Service publications relating to
1-50 the federal earned income tax credit or information prepared by the
1-51 comptroller under Section 403.025 relating to that credit;

1-52 (2) federal income tax forms necessary to claim the
1-53 federal earned income tax credit; and

1-54 (3) where feasible, the location of at least one
1-55 program in close geographic proximity to the person that provides
1-56 free federal income tax preparation services to low-income and
1-57 other eligible persons.

1-58 (c) In January of each year, the commission or a
1-59 representative of the commission shall mail to each person
1-60 described by Subsection (a) information about the federal earned
1-61 income tax credit that provides the person with referrals to the
1-62 resources described by Subsection (b).

1-63 SECTION 3. This Act takes effect September 1, 2005.

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