

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 30, 2005

TO: Honorable Steve Ogden, Chair, Senate Committee on Finance

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: SB263 by Williams (Relating to use of certain information relating to tax audits; providing penalties.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would add a new section to Chapter 111 of the Tax Code to provide civil penalties for the use of certain information relating to tax audits. The bill would require a person who obtains public information relating to taxpayer audits to wait at least six days before using the information to solicit business or employment for pecuniary gain.

The bill would establish a maximum civil penalty, which would increase with the number of violations committed. The Comptroller of Public Accounts or the person solicited could request the Attorney General, or the appropriate district or county attorney, to file suit to collect civil penalties and restrain future violations from occurring. The penalty would be in addition to any other penalty provided by law.

The Comptroller reported that the number of violations and the corresponding penalties assessed, as determined by a judge, cannot be estimated.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General, 304 Comptroller of Public Accounts

LBB Staff: JOB, SD, WP, EB