

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 27, 2007

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

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

IN RE: SB377 by Janek (Relating to the electronic payment of certain taxes and the electronic filing of reports.), **Committee Report 1st House, Substituted**

Estimated Two-year Net Impact to General Revenue Related Funds for SB377, Committee Report 1st House, Substituted: a positive impact of \$948,000 through the biennium ending August 31, 2009.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2008	\$474,000
2009	\$474,000
2010	\$474,000
2011	\$474,000
2012	\$474,000

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue Gain/(Loss) from <i>GENERAL REVENUE FUND</i> 1
2008	\$474,000
2009	\$474,000
2010	\$474,000
2011	\$474,000
2012	\$474,000

Fiscal Analysis

The bill would amend Section 111.0625 of the Tax Code to direct the Comptroller to require, by rule, any taxpayer that paid \$10,000 or more during the preceding fiscal year in certain tax categories to transfer payments by electronic funds transfer (EFT) if the Comptroller reasonably anticipated that the taxpayer would pay at least that amount during the current fiscal year.

The tax categories covered would include state and local sales and use taxes, direct payment sales taxes, oil and gas severance taxes, insurance premium taxes, gasoline and diesel fuel taxes, hotel occupancy taxes, franchise taxes, mixed beverage gross receipts taxes, motor vehicle rental taxes, and telecommunications infrastructure taxes.

The bill would authorize the Comptroller, by rule, to apply the requirements to a category not listed or remove the requirements to a category listed if the Comptroller determined that the action was necessary. The Comptroller would have to, by rule, provide for a waiver from the requirements for a taxpayer who could not comply because of hardship, impracticality, or other reason.

The Comptroller, by rule, would specify the types of EFT a taxpayer would have to use to comply with this section.

The bill would add Subsection (b-1) to Section 111.0626 of the Tax Code to allow the Comptroller to adopt rules requiring electronic filing of a report by a taxpayer for any tax without regard to the amount of the tax due.

This bill would take effect immediately upon enactment, assuming that it received the requisite two-thirds majority votes in both houses of the Legislature. Otherwise, it would take effect September 1, 2007.

Methodology

This estimate is based upon analyses provided by the Comptroller's Office.

Annual savings to the General Revenue Fund 0001 would arise from annual gains in interest income attributable to an estimated two-day decrease in cash float, less 25 percent for the waiver provision of the bill. The change to EFT and electronic reporting from paper checks and paper reports would reduce the processing costs by \$1.93 per taxpayer, per pay period. The estimate assumes a September 1, 2007 effective date.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: JOB, CT, SD