

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**April 4, 2009**

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

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

**IN RE: SB1355** by Lucio (Relating to the authority of an ad valorem tax collector to waive penalties for failing to file certain statements.), **As Introduced**

<b>No fiscal implication to the State is anticipated.</b>
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The bill would allow a tax collector to waive a penalty for failure to file a tax statement pertaining to motor vehicle inventory, vessel inventory, outboard motor inventory, heavy equipment inventory, or retail manufactured housing inventory if the dealer or retailer exercised reasonable diligence to comply or substantially complied with the inventory tax prepayment sections in current law.

The dealer or retailer would be required to request a penalty waiver in writing within 30 days after the penalty notice. The collector would make the waiver determination after considering several factors specified in the bill. The collector's decision would be final and could not be appealed.

The bill would provide a procedure for the waiver of certain penalties related to the late filing of inventory tax statements but would not affect taxable values, tax rates, or property tax exemptions. As a result there would be no cost to the state through the school finance system. It is not possible to predict the number of waivers that would be granted under the bill but any effect on local taxing units would not be significant.

The bill would take effect on September 1, 2009.

**Local Government Impact**

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

**Source Agencies:** 304 Comptroller of Public Accounts

**LBB Staff:** JOB, MN, SD, SJS