

## **BILL ANALYSIS**

S.B. 759  
By: Kolkhorst  
Ways & Means  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties have expressed concern regarding an estimate by the comptroller of public accounts that the collection costs of the tax imposed on the rental of a hall for the purpose of bingo and the tax imposed on vehicles that operate using liquefied natural gas exceed the revenue that those taxes produce. The parties contend that the state's tax collection resources could be better used to collect more cost-effective revenue instead of administering those taxes. S.B. 759 seeks to enhance the cost-efficiency of state tax collections.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 759 repeals Occupations Code provisions imposing a gross rentals tax on the rental of premises for the conduct of bingo and amends the Occupations Code to clarify the applicability of certain provisions governing the payment and reporting of bingo prize fees, penalties for failure to pay or report such fees, and recomputation of such fees.

S.B. 759 repeals Tax Code provisions relating to the liquefied gas tax imposed on the use of liquefied gas for the propulsion of motor vehicles on Texas public highways and relating to liquefied gas tax decals. The bill authorizes a person who holds a liquefied gas tax decal license that is valid on or after the bill's effective date, not later than December 31, 2015, to apply to the comptroller of public accounts for and obtain a pro rata refund of the unused portion of the advanced taxes paid for the period after the bill's effective date. The bill requires the comptroller to provide application forms for the refunds.

S.B. 759 amends the Tax Code to exempt liquefied gas used as motor fuel from the sales and use tax. The bill maintains the authorization for certain public transportation providers to pay tax on compressed or liquefied natural gas as previously provided by repealed provisions relating to the liquefied gas tax; clarifies that payment is provided by those provisions as they existed on January 1, 2015; and clarifies that certain criminal and civil penalties in connection with liquefied gas apply to a person to which that authorization applies.

S.B. 759 amends the Business & Commerce Code and the Transportation Code to make conforming changes.

S.B. 759 repeals Section 2001.501, Occupations Code, and the following provisions of the Tax Code:

- Sections 162.001(39) and (40)
- the heading to Subchapter D, Chapter 162
- Section 162.301
- Section 162.302
- Section 162.3021
- Section 162.3022
- Section 162.303
- Section 162.304
- Section 162.305
- Section 162.306
- Section 162.307
- Section 162.308
- Section 162.309
- Section 162.310
- Section 162.311
- Section 162.505

**EFFECTIVE DATE**

September 1, 2015.