

By: Darby

H.B. No. 3232

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the penalty imposed on certain delinquent oil and gas
3 severance taxes.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 201.351, Tax Code, is amended by adding
6 Subsection (c) to read as follows:

7 (c) Notwithstanding Subsections (a) and (b), a person is not
8 subject to a penalty under Subsection (a) if:

9 (1) the delinquent tax results from the person's
10 filing of an amended report with the comptroller for a timely filed
11 original report under Section 201.203 or 201.2035;

12 (2) the person paid the full amount of tax due as
13 indicated in the original report;

14 (3) the total amount of additional tax due as a result
15 of the amended report does not exceed 25 percent of the amount of
16 tax due as indicated in the original report; and

17 (4) the person files the amended report not later than
18 the 730th day after the date on which the original report was due
19 and remits the full amount of the additional tax due with the
20 amended report.

21 SECTION 2. Section 202.301, Tax Code, is amended by adding
22 Subsection (c) to read as follows:

23 (c) Notwithstanding Subsections (a) and (b), a person is not
24 subject to a penalty under Subsection (a) if:

1 (1) the delinquent tax results from the person's
2 filing of an amended report with the comptroller for a timely filed
3 original report under Section 202.201 or 202.202;

4 (2) the person paid the full amount of tax due as
5 indicated in the original report;

6 (3) the total amount of additional tax due as a result
7 of the amended report does not exceed 25 percent of the amount of
8 tax due as indicated in the original report; and

9 (4) the person files the amended report not later than
10 the 730th day after the date on which the original report was due
11 and remits the full amount of the additional tax due with the
12 amended report.

13 SECTION 3. Sections 201.351(c) and 202.301(c), Tax Code, as
14 added by this Act, apply to delinquent tax owed as a result of an
15 amended report filed with the comptroller on or after the effective
16 date of this Act, regardless of the date on which the original
17 report was due.

18 SECTION 4. This Act takes effect January 1, 2018.