

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 18, 2019

TO: Honorable Dustin Burrows, Chair, House Committee on Ways & Means

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: **HB2256** by Sanford (relating to procedures for tax auditing, determining amounts of overpayments, and obtaining reimbursements of overpayments of gas production taxes.),
Committee Report 1st House, Substituted

No fiscal implication to the State is anticipated.

This bill would amend Chapter 201, Tax Code, regarding natural gas, to allow the Comptroller to authorize a natural gas production taxpayer to conduct a managed audit in order to determine the taxpayer's tax liability. A taxpayer would be entitled to a refund or credit of any tax overpayment as a result of a managed audit. Unless the managed audit discloses fraud or willful evasion of tax due, the Comptroller would not be allowed to assess a penalty on any amounts identified as due because of a managed audit and would be authorized to waive any interest that would have accrued on the liability.

The Comptroller could authorize a taxpayer to use a sampling of marketing cost transactions to determine the amount of tax overpaid to the state.

The Comptroller indicates the bill would have no fiscal impact on the state.

The bill would take effect September 1, 2019.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: WP, KK, SD