87R8662 BEF-D

By:  Raney H.B. No. 1696

A BILL TO BE ENTITLED

AN ACT

relating to the comptroller's authority to except remote sellers and marketplace providers from sales and use tax requirements based on revenue, sales, or transactions.

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

SECTION 1.  Section 151.0242(k), Tax Code, is amended to read as follows:

(k)  The comptroller may adopt rules and forms to implement this section. The comptroller may [~~and~~] by rule except certain marketplace providers from some or all of the requirements of this section but may not except a marketplace provider from a requirement of this section based on:

(1)  revenue or sales in an amount greater than $100,000 in a 12-month period; or

(2)  transactions in a number greater than 200 in a 12-month period.

SECTION 2.  The heading to Section 151.0595, Tax Code, is amended to read as follows:

Sec. 151.0595.  REMOTE SELLERS; USE OF SINGLE LOCAL TAX RATE [~~FOR REMOTE SELLERS~~].

SECTION 3.  Section 151.0595, Tax Code, is amended by adding Subsection (k) to read as follows:

(k)  The comptroller may not by rule except a remote seller from a requirement of this chapter based on:

(1)  revenue or sales in an amount greater than $100,000 in a 12-month period; or

(2)  transactions in a number greater than 200 in a 12-month period.

SECTION 4.  The comptroller shall adopt rules in compliance with this Act not later than January 1, 2022.

SECTION 5.  This Act takes effect September 1, 2021.