

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

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**April 16, 2021**

**TO:** Honorable Jane Nelson, Chair, Senate Committee on Finance

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: SB296** by Perry (Relating to the date by which a seller must provide resale and exemption certificates to the comptroller in connection with a sales and use tax audit.), **As Introduced**

<b>No fiscal implication to the State is anticipated.</b>
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The bill would amend Chapter 151, Tax Code to change the deadline for a seller to provide resale and exemption certificates to the comptroller in connection with a sales and use tax audit.

The bill would amend Sections 151.054 and 151.104 to require a seller to be in possession of properly completed resale or exemption certificates at or before the exit conference for an audit of the nontaxable transactions, instead of within 60 days from the date written notice requiring possession of them is given to the seller by the comptroller.

According to the Comptroller, the bill would provide for a different time period during which a taxpayer may provide a resale or exemption certificates to the comptroller for sales and use tax audit purposes. However, the bill would not alter an amount of tax due and therefore would have no fiscal implications.

The bill would take effect immediately upon enactment, assuming it received the requisite two-thirds majority votes in both houses of the Legislature. Otherwise, it would take effect September 1, 2021.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

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

**LBB Staff:** JMc, KK, SD