

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 21, 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.), **Committee Report 1st House, Substituted**

<p>No fiscal implication to the State is anticipated.</p>
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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 within 90 days, instead of 60 days, from the date written notice requiring possession of them is given to the seller by the comptroller, or a later date agreed to by the comptroller and the seller. This bill would also allow the comptroller to verify the reason or basis for the exemption claimed in a resale or exemption certificate delivered to the comptroller during this period.

The bill would provide for a different time period during which a taxpayer may provide a resale or exemption certificate 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

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