

BILL ANALYSIS

Senate Research Center
76R7390 DWS-F

H.B. 2223
By: Solomons (Sibley)
Economic Development
5/3/1999
Engrossed

DIGEST

Currently, Texas law does not provide flexibility to permit an extension of time for filing comprehensive financial reports. In 1963, the legislature adopted the Sale of Checks Act to regulate persons or businesses selling checks and to require them to be licensed. Some large license holders are not able to obtain audited financial statements within 45 days after the end of the fiscal year. H.B. 2223 would authorize the banking commissioner of Texas (commissioner) to extend the time period for good cause shown, and would permit Texas Department of Banking (TDB) to consider whether to allow some license holders to provide fiscal reports to examiners during an examination, rather than filing them with TDB as is currently required.

PURPOSE

As proposed, H.B. 2223 sets forth reporting requirements of a license holder under the Sale of Checks Act.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 152.305, Finance Code, to require a license holder to file with the banking commissioner of Texas (commissioner) a certification of net worth and a report, unless waived by the commissioner, no later than the 45th day after the last day of each quarter of the license holder's fiscal year. Requires a license holder to file an annual audited unconsolidated financial statement dated as of the last day of the license holder's fiscal year that ended in the immediately preceding calendar year, no later than April 15 of each year, or a later date the commissioner approves in writing for good cause shown. Deletes text regarding unconsolidated financial statement and required reports. Deletes text regarding no later than the 120th day after the last day of the license holder's fiscal year. Makes conforming and nonsubstantive changes.

SECTION 2. Repealer: Section 152.303, Finance Code (Report of Business Locations).

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.