

## **BILL ANALYSIS**

Senate Research Center  
86R5509 SRA-F

S.B. 687  
By: Perry  
Finance  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Caption: Relating to the use of information obtained by a person from the comptroller that relates to a taxpayer subject to an audit by the comptroller.

#### Background:

Information relating to a taxpayer that the comptroller of public accounts of the State of Texas (comptroller) is auditing or intends to audit is considered public information. Current state law requires a person who obtains this information may not, before the sixth day after the date the comptroller made the information available to the person, use the information for the direct solicitation of business or employment for pecuniary gain.

#### Key Points:

S.B. 687 amends the Tax Code so that a person who obtains information about a taxpayer may not, before the 30th day after the date the comptroller made the information available to the person, use the information for the direct solicitation of business or employment for pecuniary gain.

Since current law does not require proof that the taxpayer has received the notice from the comptroller, changing from six days to 30 days will make it more likely that a taxpayer will have actual knowledge of the audit before being solicited by a business.

As proposed, S.B. 687 amends current law relating to the use of information obtained by a person from the comptroller that relates to a taxpayer subject to an audit by the comptroller.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 111.0075(b), Tax Code, as follows:

(b) Prohibits a person who obtains certain information and who is not a taxpayer to whom the information relates from using the information before the 30th, rather than the sixth, day after the date the comptroller of public accounts of the State of Texas made the information available to the person for the direct solicitation of business or employment for pecuniary gain.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2019.