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FISCAL IMPACT REPORT

SPONSOR: Gubbels DATE TYPED: 03/02/01 HB 252/HTRC
 SHORT TITLE: Amend Tax Administration Act SB _____
 ANALYST: Williams

REVENUE

Estimated Revenue		Subsequent Years Impact	Recurring or Non-Rec	Fund Affected
FY01	FY02			
		No Fiscal Impact		

(Parenthesis () Indicate Revenue Decreases)

SOURCES OF INFORMATION

LFC Files
 Taxation and Revenue Department (TRD)

SUMMARY

Synopsis of HTRC Amendments

The amendments define managed audit and inserts language to require TRD to divulge and publish audit procedures. Section 5 regarding refund claims is deleted.

Synopsis of Original Bill

This is the annual Tax Administration Act technical amendments bill and is endorsed by the Revenue Stabilization and Tax Policy Committee.

The most significant provisions:

- Changes references from director to secretary
- Clarifies taxpayer confidentiality with respect to TRD employees, where there is information available from public sources
- Authorizes release of information to a district attorney, state district or federal grand jury and to third party subject to a subpoena
- Authorizes TRD to estimate tax liability if records and accounts do not exist or are insufficient; and
- Adjusts how long TRD retains jurisdiction over a refund claim and addresses taxpayer action as follows:
 1. The one-year period; denial of a claim for refund under various tax credits, begins when tax is assessed or TRD sues for recovery; and

2. When claim for refund follows an assessment for taxes owed from more than three years, the claim for refund cannot apply to any period before the earliest period shown on the assessment or for any other tax.

AW/njw