

SUBJECT: Motor fuels tax credits

COMMITTEE: Ways and Means— favorable, without amendment

VOTE: 8 ayes — Craddick, Ramsay, Grusendorf, Heflin, Holzheuser, Horn,
Telford, Williamson

0 nays

3 absent — Oliveira, Stiles, Thompson

SENATE VOTE: On final passage, May 1 — 31-0

WITNESSES: (*On House companion, HB 3488*):
For — Chris Newton, Texas Petroleum Marketers Association

Against — None

DIGEST: SB 1183 would allow permitted gasoline distributors, suppliers or bonded users to receive a tax credit from the comptroller when taxes were overpaid because of a mistake of fact or law to receive a credit for this amount. The time period in which the credit must be claimed would be extended from one to four years.

SB 1183 would take effect October 1, 1997.

SUPPORTERS SAY: SB 1183 would give clear legal authority for gasoline distributors, suppliers and bonded users to receive a credit for overpaid tax, provided they file an amended report within four years. Current law allows only one year for gasoline suppliers and distributors to file an amended tax report to get credit for errors. In many cases, these mistakes are not identified within this one-year period. The Comptroller's Office has four years to recover deficiencies or overpayments of refunds, but if these mistakes are identified after one year, the distributor cannot get a credit for the overpayment. SB 1183 would just conform the distributors' time frame with the comptroller's.

SB 1183
House Research Organization
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OPPONENTS No apparent opposition.
SAY: