

- SUBJECT:** Allowing policy for payment methods of delinquent taxes or penalties
- COMMITTEE:** Ways and Means — favorable, without amendment
- VOTE:** 11 ayes — Meyer, Thierry, Button, Cole, Guerra, Martinez Fischer, Murphy, Noble, Rodriguez, Sanford, Shine
- 0 nays
- SENATE VOTE:** On final passage, April 20 — 31-0
- WITNESSES:** No public hearing.
- BACKGROUND:** Under Tax Code sec. 31.06, a tax collector must accept for the payment of taxes U.S. currency, a check, or a money order, or payment by credit card or electronic funds transfer.
- Some have suggested that problems could arise from property owners paying delinquent taxes with a check or credit card, such as a check being bounced or the credit card charge being disputed. Some have suggested authorizing a tax collector to adopt a policy requiring delinquent taxes and penalties be paid only by certain payment methods that do not include check or credit card.
- DIGEST:** SB 1764 would allow a tax collector to adopt a written policy that required payment of delinquent taxes, penalties, interest, and costs and expenses recoverable under certain statutes only with U.S. currency, a cashier's check, a certified check, or an electronic funds transfer if the payment related to:
- personal property seized for the payment of a delinquent tax, penalty, or interest owed to a taxing unit;
 - property subject to an order of sale after a delinquent tax suit; or
 - real property seized by a municipality or county for the payment of delinquent property taxes, penalties, interest, and certain other amounts.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2021.

NOTES:

The House companion bill, HB 3243 by Shine, was considered in a public hearing in the House Ways and Means Committee on April 26 and left pending.