

By: Bernal

H.B. No. 2942

Substitute the following for H.B. No. 2942:

By: Turner of Tarrant

C.S.H.B. No. 2942

A BILL TO BE ENTITLED

1 AN ACT

2 relating to investigations and actions by district or county
3 attorneys in connection with the deceptive trade practice of
4 charging exorbitant or excessive prices for necessities during a
5 declared disaster.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

7 SECTION 1. The heading to Section 17.463, Business &
8 Commerce Code, is amended to read as follows:

9 Sec. 17.463. LIMITED AUTHORITY OF DISTRICT AND COUNTY
10 ATTORNEYS TO INVESTIGATE AND PROSECUTE CERTAIN DECEPTIVE ACTS OR
11 PRACTICES [~~PRODUCTION, SALE, DISTRIBUTION, OR PROMOTION OF CERTAIN~~
12 ~~SYNTHETIC SUBSTANCES~~].

13 SECTION 2. Section 17.463, Business & Commerce Code, is
14 amended by amending Subsections (a) and (f) and adding Subsection
15 (g) to read as follows:

16 (a) This section applies only to an act described by Section
17 17.46(b)(27) or (31) [~~17.46(b)(31)~~].

18 (f) Notwithstanding any other law, in an action brought by a
19 district or county attorney under this section for a violation of
20 Section 17.46(b)(31), all settlements or penalties collected by the
21 district or county attorney shall be divided between the state and
22 the county in which the attorney brought suit, with:

23 (1) 50 percent of the amount collected paid to the
24 comptroller for deposit to the credit of the basic civil legal

1 services account established by Section 51.943, Government Code;
2 and

3 (2) 50 percent of the amount collected paid to the
4 county shall be deposited by the county in a segregated account and
5 the funds shall be used only for law enforcement, public health
6 programs, or drug abuse prevention programs.

7 (g) Notwithstanding any other law, in an action brought by a
8 district or county attorney under this section for a violation of
9 Section 17.46(b)(27), all settlements or penalties collected by the
10 district or county attorney shall be divided between the state and
11 the county in which the attorney brought suit, with:

12 (1) 50 percent of the amount collected paid to the
13 comptroller for deposit to the credit of the basic civil legal
14 services account established by Section 51.943, Government Code;
15 and

16 (2) 50 percent of the amount collected paid to the
17 county.

18 SECTION 3. The changes in law made by this Act apply only to
19 an act or practice that occurs on or after the effective date of
20 this Act. An act or practice that occurs before the effective date
21 of this Act is governed by the law in effect on the date the act or
22 practice occurred, and the former law is continued in effect for
23 that purpose.

24 SECTION 4. This Act takes effect September 1, 2021.