

By: Moody

H.B. No. 4394

A BILL TO BE ENTITLED

AN ACT

relating to the jurisdiction of county attorneys to prosecute the deceptive trade practice of price gouging during a declared disaster.

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

SECTION 1. Section 17.4625, Business & Commerce Code, is amended by adding Subsection (c) to read as follows:

(c) A county attorney has concurrent jurisdiction with the attorney general to prosecute an action under Section 17.46(b)(27).

SECTION 2. Section 17.48(d), Business & Commerce Code, is amended to read as follows:

(d) A district or county attorney is not required to obtain the permission of the consumer protection division to prosecute an action under this subchapter for a violation of Section 17.46(b)(28), if the district or county attorney provides prior written notice to the division as required by Subsection (b). A county attorney is not required to obtain the permission of the consumer protection division to prosecute an action under this subchapter for a violation of Section 17.46(b)(27), if the county attorney provides prior written notice to the division as required by Subsection (b).

SECTION 3. The changes in law made by this Act apply only to a cause of action that accrues on or after the effective date of this Act. A cause of action that accrues before the effective date

1 of this Act is governed by the law as it existed immediately before
2 the effective date of this Act, and that law is continued in effect
3 for that purpose.

4 SECTION 4. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2025.