

BILL ANALYSIS

Senate Research Center

S.B. 1526
By: Brimer
Business & Commerce
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Enrolled

DIGEST AND PURPOSE

Currently, information contained in an application for a motor vehicle sales finance license issued by the Office of Consumer Credit Commissioner (CCC) is not confidential and could be subject to open records requests. The CCC may require, as part of an application for a license, that auto dealerships provide fingerprints of persons not involved in the direct sale or finance of vehicles. S.B. 1526 provides that information contained in an application for license issued by the CCC or relating to a license holder is confidential and not public record. This bill also prohibits the CCC from requiring fingerprints of a person who is not regularly and actively engaged in the conduct of motor vehicle sales finance, or suspending, revoking, or refusing to grant a license based on failure to produce fingerprints.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 348, Finance Code, by adding Section 348.013, as follows:

Sec. 348.013. CONFIDENTIALITY OF CERTAIN INFORMATION. (a) Provides that, except as provided by Subsection (b), information contained in an application for a license under Section 348.502 or other application information relating to a license holder or license applicant that is on file with the consumer credit commissioner (CCC) is confidential and not open to public inspection.

(b) Authorizes information made confidential by this section to be disclosed in a judicial or administrative proceeding pursuant to a lawful subpoena.

SECTION 2. Amends Subchapter F, Chapter 348, Finance Code, by adding Section 348.5045, as follows:

Sec. 348.5045. FINGERPRINTS. Prohibits the CCC from performing certain activities.

SECTION 3. Effective date: September 1, 2003.