

By: Thompson

H.B. No. 1750

A BILL TO BE ENTITLED

1 AN ACT

2 relating to disclosure of price information in a written
3 advertisement for certain communications services or equipment;
4 providing a civil penalty.

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

6 SECTION 1. Subchapter D, Chapter 35, Business & Commerce
7 Code, is amended by adding Section 35.58 to read as follows:

8 Sec. 35.58. ADVERTISEMENT OF PRICE INFORMATION FOR
9 SATELLITE SERVICE OR EQUIPMENT OR WIRELESS TELEPHONE SERVICE OR
10 EQUIPMENT. (a) This section applies to a person who offers to sell
11 or provide to another person in this state:

12 (1) satellite service, wireless telephone service, or
13 Internet access service provided by use of a wireless telephone; or

14 (2) a wireless telephone, a satellite television
15 receiver dish, a satellite television receiver or decoder, or other
16 equipment in conjunction with services provided to the other person
17 through the equipment.

18 (b) A person described by Subsection (a) may not display or
19 publish, or cause to be displayed or published, a written
20 advertisement that contains pricing information regarding the
21 service and equipment unless the information is printed in at least
22 nine-point type.

23 (c) A person who violates this section is liable to the
24 state for a civil penalty in an amount not to exceed \$2,000 for each

1 violation and for each day of a continuing violation. The attorney
2 general or the prosecuting attorney in the county in which the
3 violation occurs may bring suit to recover the civil penalty
4 imposed under this section.

5 (d) The attorney general may bring an action in the name of
6 the state to restrain or enjoin a person from violating this
7 section.

8 SECTION 2. Section 35.58, Business & Commerce Code, as
9 added by this Act, takes effect September 1, 2003, and applies only
10 to a written advertisement published or displayed on or after that
11 date.