

By: Madla

S.B. No. 853

A BILL TO BE ENTITLED

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AN ACT

relating to the disclosure of certain information by persons offering to aid homeowners in obtaining property tax refunds.

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

SECTION 1. The heading to Section 41.0051, Property Code, is amended to read as follows:

Sec. 41.0051. DISCLAIMER AND DISCLOSURE REQUIRED.

SECTION 2. Section 41.0051, Property Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) A person who solicits solely by mail or by telephone a homeowner to pay a fee for the service of applying for a property tax refund from a tax appraisal district or other governmental body on behalf of the homeowner shall, before accepting money from the homeowner or signing a contract with the homeowner for the person's services, disclose to the homeowner the name of the tax appraisal district or other governmental body that owes the homeowner a refund.

(c) A person's failure to provide a disclaimer on an advertisement as required by Subsection (a) or to provide the disclosure required by Subsection (b) is considered a false, misleading, or deceptive act or practice for purposes of Section 17.46(a), Business & Commerce Code, and is subject to action by the consumer protection division of the attorney general's office as

1 provided by Section 17.46(a), Business & Commerce Code.

2 SECTION 3. This Act takes effect September 1, 2003.