

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 23, 2003

TO: Honorable Robert Duncan, Chair, Senate Committee on Jurisprudence

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB1212 by Van de Putte (Relating to participation by the attorney general's consumer protection division and the award of civil penalties in an action under the Deceptive Trade Practices-Consumer Protection Act.), **Committee Report 1st House, Substituted**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill amends Subsection (c) and adds subsection (d) to the Business & Commerce Code Section 17.47 relating to participation by the attorney general's consumer protection division and the award of civil penalties in an action under the Deceptive Trade Practices-Consumer Protection Act. The bill increases the civil penalty that may be awarded to the state (not less than \$1,000 or more than \$20,000) per violation of the Deceptive Trade Practices - Consumer Protection Act. If the act or practice was committed against a consumer who is at least 65 years old at the time of the offense, an additional amount of not more than \$100,000 per violation may be awarded. The bill also adds Section 17.501 to the Business & Commerce Code relating to the Consumer Protection Division participating in a class action by specifying actions that must be taken by a consumer and that the Office of the Attorney General's Consumer Protection Division may intervene in an action by filing notice of intervention with the court and serving notice on each party. The Act takes September 1, 2003.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General

LBB Staff: JK, GO, MS, BL