

By: Herrero

H.B. No. 2513

A BILL TO BE ENTITLED

AN ACT

1
2 relating to redemption of certain consumer rebates; providing a
3 civil penalty.

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

5 SECTION 1. Subchapter D, Chapter 35, Business & Commerce
6 Code, is amended by adding Section 35.43 to read as follows:

7 Sec. 35.43. REDEMPTION OF CONSUMER REBATES. (a) A person,
8 including a manufacturer or retailer, may not offer, in connection
9 with a sale of a good or service to a consumer, a rebate that:

10 (1) is not redeemable at the place and time of sale; or

11 (2) requires the consumer to mail or otherwise submit
12 a rebate request after the sale is completed to redeem the rebate.

13 (b) A person who violates Subsection (a)(1) or (2) is liable
14 to the state for a civil penalty in an amount not to exceed two times
15 the amount of the rebate involved in the violation. The attorney
16 general or the prosecuting attorney in the county in which the
17 violation occurs may bring suit to recover the civil penalty
18 imposed under this subsection.

19 SECTION 2. This Act takes effect September 1, 2005.