

By: Shapleigh

S.B. No. 625

A BILL TO BE ENTITLED

AN ACT

relating to enforcement of certain consumer lending laws.

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

SECTION 1. Subchapter L, Chapter 342, Finance Code, is amended by adding Section 342.561 to read as follows:

Sec. 342.561. ENFORCEMENT BY DISTRICT OR COUNTY ATTORNEY.

(a) On request of the commissioner, a district or county attorney shall assist the commissioner in the institution and prosecution of an action under this chapter or under Chapter 14 relating to a violation of this chapter.

(b) A district or county attorney, after obtaining written approval from the commissioner, may institute and prosecute an action for declaratory judgment or injunctive relief under this chapter. On request of the district or county attorney, the commissioner may assist in the action.

(c) If the commissioner prevails in an action in which a district or county attorney has participated under Subsection (a) or if a district or county attorney is granted a declaratory judgment or injunctive relief under Subsection (b), the court in the action may order the defendant to pay the county in which the action was instituted an amount necessary to cover the costs of participation by the district or county attorney.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2005.