

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 26, 2005

TO: Honorable Tom Craddick, Speaker of the House, House of Representatives

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB853 by Solomons (Relating to the return of merchandise; providing a civil penalty.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would prohibit the collection of identifying information from a consumer for use in compiling or tracking their returns of merchandise. The Attorney General, or the county attorney, would have authority to bring suit to recover a civil penalty of up to \$500 for each violation. The Attorney General would have authority to restrain or enjoin a person from violating this section. This bill contains no provision to recover attorney fees. This Act takes effect on September 1, 2005.

According to the Attorney General's Office (OAG), the proposed legislation may result in new complaints, investigations or cases; however, the OAG projects that this increase can be absorbed by current resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General

LBB Staff: JOB, SD, MS, CL, JRO, WP