

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 11, 2005

TO: Honorable Helen Giddings, Chair, House Committee on Business & Industry

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

IN RE: HB1441 by Bohac (Relating to the reporting of information regarding debt incurred for necessary medical treatment.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
--

The bill would amend Chapter 20, Business & Commerce Code by adding Section 20.055. The new Section 20.055 defines "necessary medical treatment" and prohibits a person who provides medical treatment or a debt collection agency from furnishing information to a consumer reporting agency regarding an amount owed for necessary medical treatment. A person or debt collection agency that violates this section is liable to the consumer for the greater of three times the amount of actual damages or \$1,000, plus attorney fees and costs. This change in law only applies to information furnished to a consumer reporting agency on or after the effective date of this Act. This Act takes effect on September 1, 2005.

The proposed legislation could result in new complaints, investigations or cases by the OAG, however, it is projected that this increase can be absorbed by current resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General, 466 Office of Consumer Credit Commissioner

LBB Staff: JOB, JRO, MS