

By: Davis of Dallas

H.B. No. 676

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the imposition of statutory damages against a debt
3 collector or third-party debt collector for improper debt
4 collection activities.

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

6 SECTION 1. Sections 392.403(a) and (e), Finance Code, are
7 amended to read as follows:

8 (a) A person may sue for:

9 (1) injunctive relief to prevent or restrain a
10 violation of this chapter; ~~and~~

11 (2) actual damages sustained as a result of a
12 violation of this chapter; and

13 (3) statutory damages as described by Subsection (e).

14 (e) A debt collector or third-party debt collector who
15 violates this chapter with respect to any person is liable to the
16 person in the amount of \$100 for each violation. ~~[A person who~~
17 ~~successfully maintains an action under this section for violation~~
18 ~~of Section 392.101, 392.202, or 392.301(a)(3) is entitled to not~~
19 ~~less than \$100 for each violation of this chapter.]~~

20 SECTION 2. The changes in law made by this Act apply only to
21 a cause of action that accrues on or after the effective date of
22 this Act. A cause of action that accrues before the effective date
23 of this Act is governed by the law as it existed immediately before
24 the effective date of this Act, and the former law is continued in

1 effect for that purpose.

2 SECTION 3. This Act takes effect September 1, 2007.