

By: Shapleigh

S.B. No. 753

A BILL TO BE ENTITLED

1 AN ACT

2 relating to requirements to report certain data from credit  
3 services organizations regarding certain transactions.

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

5 SECTION 1. Subchapter B, Chapter 393, Finance Code, is  
6 amended by adding Section 393.107 to read as follows:

7 Sec. 393.107. ANNUAL REPORT. (a) Each year, not later  
8 than May 1 or a later date set by the Finance Commission of Texas, a  
9 credit services organization operating under Section 393.001(3)(B)  
10 shall submit to the finance commission a report that contains  
11 relevant information concerning its transactions conducted in this  
12 state.

13 (b) A report under this section shall include the following  
14 information:

15 (1) the total number of credit service transactions  
16 made, serviced, or brokered by the credit services organization  
17 during the preceding year;

18 (2) the total principal amount resulting from credit  
19 services transactions brokered by the credit services organization  
20 during the preceding year;

21 (3) the total amount of authorized fees or charges by  
22 category, as authorized under Section 393.001, collected by the  
23 credit services organization which serviced transactions during  
24 the preceding year;

1           (4) the total number of unique consumers, including  
2 those with multiple transactions, that engaged the services of the  
3 credit services organization from the preceding year;

4           (5) the average term of all credit service  
5 transactions made, serviced, or brokered by the credit services  
6 organization during the preceding year;

7           (6) the total number of delinquent or defaulted credit  
8 services transactions made, serviced, or brokered by the credit  
9 services organization during the preceding year; and

10          (7) the number of written consumer complaints  
11 associated with all credit services transactions serviced by the  
12 credit services organization during the preceding year.

13          (c) A report under this section may include the following  
14 information:

15           (1) geographic origination by county of credit  
16 services transactions made, serviced, or brokered by the credit  
17 services organization during the preceding year; and

18           (2) average income ranges of consumers who obtained  
19 credit services from the credit services organization during the  
20 preceding year.

21          (d) A report under this section must be:

22           (1) under oath; and

23           (2) in the form prescribed by the Finance Commission  
24 of Texas.

25          (e) Information submitted by a credit services organization  
26 under this section shall be held privileged and confidential by the  
27 Finance Commission of Texas and is exempted from the requirements

1 of Section 552.021, Government Code.

2 (f) Annually the Finance Commission of Texas shall prepare  
3 and publish a consolidated analysis and recapitulation of reports  
4 filed under this section.

5 (g) A credit services organization that is required to  
6 comply with this section must maintain a process to collect and  
7 report written consumer complaint information regarding its  
8 services.

9 (h) The Finance Commission of Texas shall adopt rules as  
10 necessary to implement this section.

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