

1-1 By: Shapleigh S.B. No. 753
1-2 (In the Senate - Filed February 19, 2007; March 6, 2007,
1-3 read first time and referred to Committee on State Affairs;
1-4 April 16, 2007, rereferred to Committee on Business and Commerce;
1-5 May 8, 2007, reported adversely, with favorable Committee
1-6 Substitute by the following vote: Yeas 6, Nays 0; May 8, 2007,
1-7 sent to printer.)

1-8 COMMITTEE SUBSTITUTE FOR S.B. No. 753 By: Watson

1-9 A BILL TO BE ENTITLED
1-10 AN ACT

1-11 relating to requirements to report certain data from credit
1-12 services organizations regarding certain transactions.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subchapter B, Chapter 393, Finance Code, is
1-15 amended by adding Section 393.107 to read as follows:

1-16 Sec. 393.107. ANNUAL REPORT. (a) Each year, not later than
1-17 May 1 or a later date set by the Finance Commission of Texas, a
1-18 credit services organization operating under Section 393.001(3)(B)
1-19 shall submit to the finance commission a report that contains
1-20 relevant information concerning its transactions conducted in this
1-21 state.

1-22 (b) A report under this section shall include the following
1-23 information:

1-24 (1) the total number of credit service transactions
1-25 made, serviced, or brokered by the credit services organization
1-26 during the preceding year;

1-27 (2) the total principal amount resulting from credit
1-28 services transactions brokered by the credit services organization
1-29 during the preceding year;

1-30 (3) the total amount of authorized fees or charges by
1-31 category, as authorized under Section 393.001, collected by the
1-32 credit services organization which serviced transactions during
1-33 the preceding year;

1-34 (4) the total number of unique consumers, including
1-35 those with multiple transactions, that engaged the services of the
1-36 credit services organization from the preceding year;

1-37 (5) the average term of all credit service
1-38 transactions made, serviced, or brokered by the credit services
1-39 organization during the preceding year;

1-40 (6) the total number of delinquent or defaulted credit
1-41 services transactions made, serviced, or brokered by the credit
1-42 services organization during the preceding year; and

1-43 (7) the number of written consumer complaints
1-44 associated with all credit services transactions serviced by the
1-45 credit services organization during the preceding year.

1-46 (c) A report under this section may include the following
1-47 information:

1-48 (1) geographic origination by county of credit
1-49 services transactions made, serviced, or brokered by the credit
1-50 services organization during the preceding year; and

1-51 (2) average income ranges of consumers who obtained
1-52 credit services from the credit services organization during the
1-53 preceding year.

1-54 (d) A report under this section must be:

1-55 (1) under oath; and

1-56 (2) in the form prescribed by the Finance Commission
1-57 of Texas.

1-58 (e) Information submitted by a credit services organization
1-59 under this section shall be held privileged and confidential by the
1-60 Finance Commission of Texas and is exempted from the requirements
1-61 of Section 552.021, Government Code.

1-62 (f) Annually the Finance Commission of Texas shall prepare
1-63 and publish a consolidated analysis and recapitulation of reports

2-1 filed under this section.

2-2 (g) A credit services organization that is required to
2-3 comply with this section must maintain a process to collect and
2-4 report written consumer complaint information regarding its
2-5 services.

2-6 (h) The Finance Commission of Texas shall adopt rules as
2-7 necessary to implement this section.

2-8 SECTION 2. This Act takes effect September 1, 2007.

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