

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

March 26, 2007

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

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

IN RE: HB1479 by Castro (Relating to the regulation of retail rebates.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Business and Commerce Code and require a retailer to clearly disclose, in writing, the terms of a rebate to the consumer at the time of the sale, require rebate forms include the option of providing the consumer with an internet address from which the consumer can download a rebate form, provide that a rebate form is considered submitted on the date on which the form is postmarked, and require the manufacturer to send the consumer the rebate no later than ten days after the period specified in the terms of the rebate. The bill would also require that if a manufacturer refuses to provide a rebate, it must disclose in writing its reasons for refusal and return the consumer's original rebate form along with attached documentation, not later than thirty days after the rebate form was postmarked and establish a private cause of action for violations of this chapter in which the plaintiff may request payment of actual damages or \$500.00.

The Office of the Attorney General indicates that enactment of the bill could result in new complaints, investigations or cases for the Consumer Protection and Public Health Division. However, the agency indicates that any additional costs associated with new complaints, investigations, or cases could 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, JRO, JM