

Amend HB 3621 (house committee printing) as follows:

(1) On page 1, line 5, between "Finance Code" and "is", insert a comma.

(2) On page 3, line 6, between "reasonableness." and "If", insert the following:

In determining whether a fee charged by a retail seller is reasonable, the commissioner may consider the resources required by the retail seller to perform the retail seller's duties under state and federal law with respect to the handling and processing of documents relating to the sale and financing of a motor vehicle.

(3) On page 3, between lines 9 and 10, insert the following:

(f) A documentary fee charged in accordance with this section before September 1, 2009, is considered reasonable for purposes of this section.

(g) This section does not:

(1) create a private right of action; or

(2) require that the commissioner approve a specific documentary fee amount before a retail seller charges the fee.

(4) On page 3, line 10, strike "(f)" and substitute "(h)".

(5) On page 3, line 12, between "," and "to", insert "necessary".

(6) On page 3, line 12, immediately following the underlined period, insert the following:

A rule adopted under this subsection may not require a retail seller to submit to the commissioner for prior approval the amount of a documentary fee that the retail seller intends to charge under this section.

(i) The commissioner has exclusive jurisdiction to enforce this section.