

BILL ANALYSIS

Senate Research Center
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S.B. 2191
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Business & Commerce
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In an effort to reduce the cost and environmental impact associated with paper billing, many companies have begun charging a fee for a paper invoice. The customer continues to receive an invoice in electronic form. This practice has the potential to burden low-income or elderly populations because they lack access to the Internet.

As proposed, S.B. 2191 amends current law relating to certain billing practices by businesses in this state.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subtitle A, Title 5, Business & Commerce Code, by adding Chapter 74, as follows:

CHAPTER 74. BILLING PRACTICES

Sec. 74.001. NO EXTRA CHARGE FOR PAPER INVOICE. (a) Provides that a business in this state is required to include within its basic fee for goods or services purchased by a customer any cost associated with providing the customer a paper invoice or similar document for the goods or services and is prohibited from imposing an extra charge for the service of providing its customer a paper invoice or similar document for the goods or services.

(b) Provides that Subsection (a) applies to the provision of a paper invoice or similar document to a customer without regard to how the invoice or document is physically delivered to the customer, including by mail.

(c) Provides that this section does not apply to billing for goods or services purchased by a customer through the Internet.

Sec. 74.002. DISCOUNT FOR PAPERLESS BILLING. Provides that Section 74.001 does not prevent a business from offering a discount to a customer who agrees not to receive a paper invoice or similar document for goods or services purchased by the customer and to receive the invoice or similar document in an electronic form over the Internet.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2009.