

By: Flynn

H.B. No. 3659

Substitute the following for H.B. No. 3659:

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C.S.H.B. No. 3659

A BILL TO BE ENTITLED

AN ACT

relating to certain retail installment transactions involving the sale of motor vehicles.

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

SECTION 1. Section 348.004(a), Finance Code, is amended to read as follows:

(a) The cash price is the price at which the retail seller offers in the ordinary course of business to sell for cash the goods or services that are subject to the transaction. The advertised price does not necessarily establish a cash price.

SECTION 2. Section 348.404(b), Finance Code, is amended to read as follows:

(b) A retail seller, in connection with a retail installment transaction, may:

(1) advance money to retire:

(A) an amount owed against a motor vehicle used as a trade-in or a motor vehicle owned by the buyer that has been declared a total loss by the buyer's insurer; or

(B) the retail buyer's outstanding obligation under a motor vehicle lease contract, a credit transaction for the purchase of a motor vehicle, or another retail installment transaction; and

(2) finance repayment of that money in a retail installment contract.

1 SECTION 3. This Act takes effect September 1, 2009.