

AN ACT

relating to the dedication of certain civil penalties for violations of the Deceptive Trade Practices-Consumer Protection Act to provide civil legal services to the indigent.

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

SECTION 1. Section 402.007, Government Code, is amended to read as follows:

Sec. 402.007. PAYMENT TO TREASURY; ALLOCATION OF CERTAIN PENALTIES. (a) The attorney general shall immediately pay into the state treasury money received for a debt or penalty.

(b) Subject to Subsection (c), the comptroller shall credit to the judicial fund for programs approved by the supreme court that provide basic civil legal services to the indigent the net amount of a civil penalty that is recovered in an action by the attorney general in any matter actionable under Subchapter E, Chapter 17, Business & Commerce Code, after deducting amounts allocated to or retained by the attorney general as authorized by law, unless:

(1) another law requires that the penalty be credited to a different fund or account; or

(2) the judgment awarding the penalty requires that the penalty be paid to another named recipient.

(c) The total amount credited to the judicial fund for programs approved by the supreme court that provide basic civil legal services to the indigent under Subsection (b) may not exceed

1 \$10 million per state fiscal biennium.

2 SECTION 2. The change in law made by this Act applies to a
3 civil penalty in an action by the attorney general in any matter
4 actionable under Subchapter E, Chapter 17, Business & Commerce
5 Code, that is received on or after the effective date of this Act.

6 SECTION 3. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2009.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 2279 passed the Senate on April 30, 2009, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 29, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 2279 passed the House, with amendment, on May 27, 2009, by the following vote: Yeas 148, Nays 0, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor