

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**April 19, 2009**

**TO:** Honorable Joe Deshotel, Chair, House Committee on Business & Industry

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

**IN RE: HB972** by Quintanilla (Relating to inclusion on certain advertising documents of the license or certificate of registration number of certain individuals regulated by this state who solicit business in consumers' homes; providing a civil penalty.), **Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would require regulatory agencies to adopt rules requiring individuals licensed or registered by the agency who solicit business in consumer's homes to prominently display the individual's license or certificate of registration number on any document, advertisement, business card, or logo. The bill would provide an exemption for individuals or entities licensed or registered by the Public Utility Commission. The bill also creates a civil penalty for violating the provisions of the bill or rules established by a regulatory agency to enforce the provisions of the bill.

This analysis assumes that the Office of Attorney General is authorized to collect the civil penalty on behalf of the state, but that the bill does not authorize collection of the penalty by the agency which promulgated the rule. In addition, based on the analysis of the Attorney General, agencies would sanction the violation of a rule administratively.

This analysis also assumes that costs associated with implementing the provisions of the bill could be absorbed within existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 312 Securities Board, 329 Real Estate Commission, 405 Department of Public Safety, 450 Department of Savings and Mortgage Lending, 451 Department of Banking, 452 Department of Licensing and Regulation, 454 Department of Insurance, 456 Board of Plumbing Examiners, 457 Board of Public Accountancy, 464 Board of Professional Land Surveying, 507 Texas Board of Nursing, 508 Board of Chiropractic Examiners, 512 Board of Podiatric Medical Examiners, 513 Funeral Service Commission

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