

R E S O L U T I O N

1 BE IT RESOLVED by the House of Representatives of the State of  
2 Texas, 82nd Legislature, Regular Session, 2011, That House Rule 13,  
3 Section 9(a), be suspended in part as provided by House Rule 13,  
4 Section 9(f), to enable the conference committee appointed to  
5 resolve the differences on House Bill 213 (certain loans secured by  
6 a lien on residential real property and other transactions  
7 involving residential real property; providing civil penalties) to  
8 consider and take action on the following matter:

9 House Rule 13, Section 9(a)(2), is suspended to permit the  
10 committee to omit text not in disagreement in SECTION 1 of the bill  
11 from added Chapter 397, Finance Code, that reads as follows:

12 Sec. 397.102. ACTION BY DEBTOR. In addition to any other  
13 legal and equitable remedy available, a debtor injured by a  
14 violation of this chapter may bring an action for recovery of actual  
15 damages, including reasonable attorney's fees.

16 Sec. 397.102. ACTION BY BORROWER. In addition to any other  
17 legal and equitable remedy available, a borrower injured by a  
18 violation of this chapter may bring an action:

19 . . .

20 (2) to recover:

21 (A) actual damages, including reasonable  
22 attorney's fees; . . . .

23 Explanation: The omission of the text is necessary to remove  
24 the authorization of a private cause of action under added Chapter

H.R. No. 2697

1 397, Finance Code.

Rodriguez

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Speaker of the House

I certify that H.R. No. 2697 was adopted by the House on May 29, 2011, by the following vote: Yeas 146, Nays 3, 1 present, not voting.

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Chief Clerk of the House