

Suspending limitations on conference committee
jurisdiction, H.B. No. 213

By: Lucio

S.R. No. 1257

SENATE RESOLUTION

BE IT RESOLVED by the Senate of the State of Texas, 82nd Legislature, Regular Session, 2011, That Senate Rule 12.03 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on House Bill 213 (certain loans secured by a lien on residential real property and other transactions involving residential real property; providing civil penalties) to consider and take action on the following matter:

Senate Rule 12.03(2) is suspended to permit the committee to omit text not in disagreement in SECTION 1 of the bill, from added Chapter 397, Finance Code, that reads as follows:

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

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

. . .

(2) to recover:

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

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

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Chapter 397, Finance Code.

President of the Senate

I hereby certify that the
above Resolution was adopted by
the Senate on May 29, 2011, by the
following vote: Yeas 31, Nays 0.

Secretary of the Senate