

BILL ANALYSIS

H.B. 877
By: Turner
Business & Industry
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that credit access businesses should be prohibited from making unsolicited telemarketing calls to individuals on the Texas no-call list. H.B. 877 seeks to prohibit such calls except under certain limited circumstances.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 877 amends the Business & Commerce Code to exclude a call made by licensed credit access business from the application of an exemption from the Texas Telemarketing Disclosure and Privacy Act for certain calls made by state licensees.

H.B. 877 amends the Finance Code to prohibit a credit access business or a representative of such a business from making a telemarketing call to a consumer whose name and telephone number are on the Texas no-call list maintained under the Texas Telemarketing Disclosure and Privacy Act. The bill authorizes a credit access business or a representative of the business to make a telemarketing call to such a consumer if the consumer is a party to a contract with the business and the call is made during the term of the contract or if the consumer was a party to a contract with the business and the call is made before the first anniversary of the date on which the contract was terminated, unless the consumer requests that the business or representative stop calling the consumer.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.