

By: Elkins

H.B. No. 4261

A BILL TO BE ENTITLED

AN ACT

relating to the transparent disclosure of Internet advertising practices.

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

SECTION 1. Chapter 323, Business and Commerce Code, is amended by adding Section 323.004 to read as follows:

Sec. 323.004. (a) Any online advertising platform which is used to advertise goods or services in Texas and which restricts access to sell goods or services on that platform shall provide a prominent online disclosure of such restrictions, including:

(1) limitation on the types, quantities, or characteristics of goods permitted to be advertised on the online advertising platform;

(2) limitation on the nature or characteristics of services permitted to be advertised on the online advertising platform; and

(3) the fact, if true, that such goods or services are otherwise legal to offer or sell in Texas.

(b) A violation of (a) by the provider of an online advertising platform is a false, misleading, or deceptive act or practice subject to action by the consumer protection division under section 17.46(a).

SECTION 2. This Act takes effect September 1, 2017.