

Amend SB 1189 (house committee report) as follows:

(1) On page 1, line 16, strike "consumer alert,".

(2) On page 3, line 22, strike "and may be enforced by the attorney general or" and substitute "solely as an enforcement action by the consumer protection division of the attorney general's office or by".

(3) On page 3, following line 27, insert the following:

(c) Notwithstanding Subsection (a), if the advertising review committee of the State Bar of Texas reviews, in accordance with the committee's procedures, an advertisement for compliance with this subchapter before the first dissemination of the advertisement and the committee informs the sponsor of the advertisement that the advertisement is in compliance with this subchapter and the applicable advertising standards in the Texas Disciplinary Rules of Professional Conduct, the consumer protection division of the attorney general's office or a district or county attorney may not pursue an action under Subsection (a) unless:

(1) the consumer protection division or the district or county attorney demanded that the sponsor of the advertisement cease further dissemination of the advertisement;

(2) the sponsor of the advertisement is given a reasonable amount of time to ensure the advertisement is withdrawn from dissemination to the public; and

(3) the sponsor of the advertisement fails to ensure the advertisement is withdrawn from dissemination to the public within the time provided.