

BILL ANALYSIS

H.B. 3988
By: Raney
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been suggested that the current reimbursement process for a case filing fee in a Lemon Law dispute, which requires the filing fee to be reimbursed by the losing party per administrative order, is unnecessarily complicated, considering the fee reimbursement is not optional. H.B. 3988 seeks to address this issue by requiring the filing fee reimbursement to be made directly rather than by order.

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. 3988 amends the Occupations Code to replace the requirement for the board of the Texas Department of Motor Vehicles to order the nonprevailing party in a complaint concerning the failure of a manufacturer, converter, or distributor to conform a motor vehicle to certain express warranties to reimburse the amount of the case filing fee to the person bringing the complaint with a requirement for the nonprevailing party to so reimburse the fee amount, as applicable.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.