

BILL ANALYSIS

S.B. 2140
By: Hughes
Business & Industry
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been suggested that the current civil penalty imposed under the Deceptive Trade Practices-Consumer Protection Act may have an excessive effect where a series of repeated violations make up part of a single scheme, action, or series of events. S.B. 2140 seeks to reduce such cumulative effects while retaining a strong deterrent against single violations by decreasing the maximum civil penalty per violation of the act.

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

S.B. 2140 amends the Business & Commerce Code to decrease from \$20,000 to \$10,000 the maximum civil penalty that may be recovered by the attorney general per violation of the Deceptive Trade Practices-Consumer Protection Act.

EFFECTIVE DATE

September 1, 2019.