

By: Burrows

H.B. No. 3702

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the amount of civil penalties the attorney general may
3 seek to recover under the Deceptive Trade Practices-Consumer
4 Protection Act.

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

6 SECTION 1. Section 17.47(c), Business & Commerce Code, is
7 amended to read as follows:

8 (c) In addition to the request for a temporary restraining
9 order, or permanent injunction in a proceeding brought under
10 Subsection (a) of this section, the consumer protection division
11 may request, and the trier of fact may award, a civil penalty to be
12 paid to the state in an amount of:

- 13 (1) not more than \$10,000 [~~\$20,000~~] per violation; and
14 (2) if the act or practice that is the subject of the
15 proceeding was calculated to acquire or deprive money or other
16 property from a consumer who was 65 years of age or older when the
17 act or practice occurred, an additional amount of not more than
18 \$250,000.

19 SECTION 2. The changes in law made by this Act apply to an
20 action filed by the consumer protection division under Section
21 17.47, Business and Commerce Code, on or after the effective date of
22 this Act. A action filed action filed by the consumer protection
23 division under Section 17.47, Business and Commerce Code, before
24 the effective date of this Act is governed by the law in effect on

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1 the date the action is filed, and the former law is continued in
2 effect for that purpose.

3 SECTION 3. This Act takes effect September 1, 2019.