

By: Hughes

S.B. No. 2140

A BILL TO BE ENTITLED

AN ACT

relating to the amount of civil penalties the attorney general may seek to recover under the Deceptive Trade Practices-Consumer Protection Act.

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

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

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

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

SECTION 2. The changes in law made by this Act apply only to an action filed by the consumer protection division under Section 17.47, Business & Commerce Code, on or after the effective date of this Act. An action filed by the consumer protection division under Section 17.47, Business & Commerce Code, before the effective date of this Act is governed by the law in effect on the date the action

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

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