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By:  Raymond H.B. No. 4232

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of the COVID-19 Consumer and Investor Fraud Task Force.

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

SECTION 1.  DEFINITIONS. In this Act:

(1)  "COVID-19" means the 2019 novel coronavirus disease.

(2)  "COVID-19 public health emergency" means a state of disaster declared in a proclamation or executive order issued by the governor in response to COVID-19, including a continuation of the state of disaster under a renewal of the proclamation or executive order.

(3)  "Task force" means the COVID-19 Consumer and Investor Fraud Task Force established under this Act.

SECTION 2.  ESTABLISHMENT OF TASK FORCE. The COVID-19 Consumer and Investor Fraud Task Force is established to help protect consumers and investors by preventing and reducing the incidences of fraud related to the COVID-19 public health emergency.

SECTION 3.  TASK FORCE MEMBERSHIP. (a) The task force is composed of representatives of the following agencies:

(1)  the office of the attorney general;

(2)  the Office of Consumer Credit Commissioner;

(3)  the Texas Department of Banking;

(4)  the Department of Savings and Mortgage Lending; and

(5)  the State Securities Board.

(b)  The executive head of each agency listed in Subsection (a) of this section shall appoint a representative to serve as the agency's representative on the task force not later than October 1, 2021.

SECTION 4.  PRESIDING OFFICER; MEETINGS. (a) The members of the task force shall select the presiding officer of the task force.

(b)  The presiding officer shall call the initial meeting of the task force on or before January 1, 2022. Subject to Subsection (c) of this section, the task force shall meet at the times and places that the presiding officer determines are appropriate.

(c)  Notwithstanding Chapter 551, Government Code, or any other law, the task force may meet by telephone conference call, videoconference, or other similar telecommunication method. A meeting held by telephone conference call, videoconference, or other similar telecommunication method is subject to the requirements of Sections 551.125(c), (d), (e), and (f), Government Code.

SECTION 5.  DUTIES OF TASK FORCE. (a) The task force shall facilitate collaboration between the agencies represented on the task force to:

(1)  provide information and resources to help consumers and investors avoid becoming a victim of fraud related to the COVID-19 public health emergency;

(2)  provide information and resources, including legal aid resources, to help consumers and investors who have been victims of fraud during the COVID-19 public health emergency; and

(3)  recommend further action to reduce and combat the prevalence of fraud relating to the COVID-19 public health emergency.

(b)  The task force shall coordinate and collaborate with other state agencies not participating in the task force as appropriate.

SECTION 6.  REPORT. The task force shall submit a quarterly written report to the governor, the lieutenant governor, the speaker of the house of representatives, and each member of the legislature, detailing:

(1)  the information and resources made publicly available to consumers by the agencies represented on the task force;

(2)  the number of consumer complaints received by the agencies represented on the task force that allege fraud that occurred during the COVID-19 public health emergency;

(3)  the nature of the consumer complaints described by Subdivision (2) of this section; and

(4)  recommendations of further action that can be taken by the state to prevent and reduce the incidence of fraud during the COVID-19 public health emergency.

SECTION 7.  EXPIRATION. The task force is abolished and this Act expires on the one-year anniversary of the date the final COVID-19 public health emergency declaration terminates.

SECTION 8.  EFFECTIVE DATE. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.