

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 21, 2021

TO: Honorable Chris Turner, Chair, House Committee on Business & Industry

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2942 by Bernal (relating to investigations and actions by district or county attorneys in connection with the deceptive trade practice of charging exorbitant or excessive prices for necessities during a declared disaster.), **Committee Report 1st House, Substituted**

The fiscal implication to the State cannot be estimated because potential collection amounts from settlements and penalties are unknown.

The bill would amend the Business and Commerce Code to allow district attorneys and county attorneys to bring a legal action for the deceptive trade practice of charging excessive or exorbitant prices for food, fuel, medicine, lodging, during a disaster declared by the Governor or the President.

Under the bill's provisions, settlements and penalties collected by the district or county attorney for violations related to deceptive trade practice of charging excessive or exorbitant prices for food, fuel, medicine, lodging, during a disaster declared by the Governor or the President would be equally divided between the county and the basic civil legal services account established by Government Code section 51.943.

Based on the analysis of the Office of Court Administration and the Comptroller of Public Accounts, although the bill could result in an increase in revenue for the basic civil legal services account in the Judicial Fund No. 573 administered by the Supreme Court of Texas, the fiscal impact cannot be estimated as the collection amounts are undetermined. In addition, no significant fiscal impact to the state court system is anticipated with the implementation of the bill.

The bill would take effect September 1, 2021.

Local Government Impact

The Texas District & County Attorneys Association does not expect a negative fiscal impact to prosecutors.

Source Agencies: 212 Office of Court Admin, 304 Comptroller of Public Accounts

LBB Staff: JMc, SZ, MW, BH, SD, AF