

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 12, 2021

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

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB3941 by Guillen (Relating to surcharges imposed for the use of a credit card.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Business and Commerce Code relating to surcharges imposed for the use of a credit card.

Repealing Section 604A.0021, the bill removes the liability for a civil penalty of \$500 for each violation and removes the authority of the Office of the Attorney General to bring a suit to recover the civil penalty or an action in the name of the state to restrain or enjoin a person for imposing a surcharge. The bill removes the ability of the Office of the Attorney General to seek civil penalties for a violation of Section 604A.002, which prohibits the imposition of a surcharge for credit card purposes.

According to the Office of Court Administration and the Office of the Attorney General, any additional work resulting from the provisions of the bill could be absorbed within current resources.

According to the Comptroller's Office, the fiscal impact of the bill cannot be determined.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Admin, 302 Office of the Attorney General, 304 Comptroller of Public Accounts

LBB Staff: JMc, SZ, LCO, HGR