

By: Simmons

H.B. No. 278

A BILL TO BE ENTITLED

AN ACT

relating to the revocation of certain licenses of persons found to have engaged in price gouging during a declared disaster.

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

SECTION 1. Subchapter E, Chapter 17, Business & Commerce Code, is amended by adding Section 17.4626 to read as follows:

Sec. 17.4626. NOTICE TO LICENSING AUTHORITY; REVOCATION OF CERTAIN LICENSES. (a) In this section:

(1) "License" means a license, certificate, registration, permit, or other authorization that:

(A) is issued by a licensing authority;

(B) is subject before expiration to renewal, suspension, revocation, forfeiture, or termination by a licensing authority; and

(C) a person must obtain to practice or engage in a particular business or other regulated commercial activity for which a license or permit is required.

(2) "Licensing authority" means the Texas Department of Agriculture or the Texas Department of Licensing and Regulation.

(b) Not later than the 30th day after the date the attorney general prevails in an action against a person under Section 17.47 or a consumer prevails in an action against a person under Section 17.50 for an act described by Section 17.46(b)(27), the attorney general or appropriate court shall provide notice to each licensing

1 authority with regulatory authority over licensing the person to
2 engage in the business that performed the act described by Section
3 17.46(b)(27). If authorized under applicable law, the licensing
4 authority shall revoke the person's license through the applicable
5 revocation process.

6 (c) Not later than the 30th day after the date the attorney
7 general prevails in a second action against a person under Section
8 17.47 or a consumer prevails in a second action against a person
9 under Section 17.50 for an act described by Section 17.46(b)(27),
10 the attorney general or appropriate court shall provide notice to
11 each licensing authority with regulatory authority over licensing
12 the person. If authorized under applicable law, the licensing
13 authority shall revoke any license the person holds through the
14 applicable revocation process.

15 SECTION 2. This Act takes effect on the 91st day after the
16 last day of the legislative session.