

BILL ANALYSIS

H.B. 2733
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, an individual can be charged with an offense of barratry and solicitation of professional employment if they solicit employment in person or by telephone for themselves or on behalf of someone else with the intent of gaining an economic benefit. However, the bill author has informed the committee that illegal solicitation of professional services has increasingly shifted to digital channels such as direct messages on a social media platform, which is not specifically addressed in the law as a means of solicitation, despite the fact that such communications are now commonplace in most Texans' daily lives and are possible avenues for exploitation. H.B. 2733 seeks to modernize the law against barratry and solicitation of professional employment and protect Texans by including such conduct committed through electronic communication in the scope of that law.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2733 amends the Penal Code to expand the conduct that constitutes a barratry and solicitation of professional employment offense to include the following conduct:

- that a person, with intent to obtain an economic benefit, solicits employment through a direct message on a social media platform or by another electronic communication for the person or for another; and
- that an attorney, chiropractor, physician, surgeon, or private investigator licensed to practice in Texas or any person licensed, certified, or registered by a health care regulatory agency of the state, with the intent to obtain professional employment for the person or for another, provides or knowingly permits to be provided to an individual who has not sought the person's employment, legal representation, advice, or care, a written communication or a solicitation through a direct message on a social media platform or by another electronic communication relating to certain matters.

H.B. 2733 applies only to an offense committed on or after the bill's effective date. An offense committed before that date is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For these purposes, an offense was committed before the bill's effective date if any element of the offense was committed before that date.

EFFECTIVE DATE

September 1, 2025.