

BILL ANALYSIS

H.B. 4739
By: Geren
Pensions, Investments & Financial Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current state law requires holders of retail charge agreements to remit \$0.50 to the comptroller of public accounts from every delinquency charge that is in excess of \$10. The bill author has informed the committee that the comptroller originally deposited these funds in the general revenue fund for allocation to the Finance Commission of Texas for research and financial education and counseling services facilitated by the consumer credit commissioner; however since 2009, as a self-directed and semi-independent agency, the commission no longer receives appropriated funds, and no revenue has been collected from the fee since fiscal year 2019. H.B. 4739 seeks to improve government efficiency and eliminate the unnecessary collection of fees by repealing provisions providing for the remittance of a portion of retail charge agreement delinquency fees to the comptroller.

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. 4739 repeals Section 345.157(d), Finance Code, which does the following:

- requires the applicable holder of a retail charge agreement under statutory provisions relating to delinquency charges to remit 50 cents of each delinquency charge in excess of \$10 collected under those statutory provisions to the comptroller of public accounts, in the time and manner established by the comptroller, for deposit to the credit of an account in the general revenue fund; and
- authorizes one-half of the money in the account to be appropriated only to finance research conducted by the consumer credit commissioner under statutory provisions governing the Finance Commission of Texas and the other one-half of the money in the account to be appropriated only to finance educational activities and counseling services under statutory provisions governing the duties of the consumer credit commissioner with respect to debt counseling and education.

H.B. 4739 establishes that the bill does not affect tax liability accruing before the bill's effective date. That liability continues in effect as if the article had not been enacted, and the former law is continued in effect for the collection of taxes due and for civil and criminal enforcement of the liability for those taxes.

EFFECTIVE DATE

Except as otherwise provided, January 1, 2026.