

1-1 By: Geren (Senate Sponsor - Zaffirini) H.B. No. 4738
1-2 (In the Senate - Received from the House April 30, 2025;
1-3 May 1, 2025, read first time and referred to Committee on Finance;
1-4 May 14, 2025, reported favorably by the following vote: Yeas 15,
1-5 Nays 0; May 14, 2025, sent to printer.)

1-6 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|------|---------------------|-----|--------|-----|
| 1-7 | | | | |
| 1-8 | Huffman | X | | |
| 1-9 | Hinojosa of Hidalgo | X | | |
| 1-10 | Alvarado | X | | |
| 1-11 | Bettencourt | X | | |
| 1-12 | Campbell | X | | |
| 1-13 | Creighton | X | | |
| 1-14 | Flores | X | | |
| 1-15 | Hall | X | | |
| 1-16 | Kolkhorst | X | | |
| 1-17 | Nichols | X | | |
| 1-18 | Paxton | X | | |
| 1-19 | Perry | X | | |
| 1-20 | Schwertner | X | | |
| 1-21 | West | X | | |
| 1-22 | Zaffirini | X | | |

1-23 A BILL TO BE ENTITLED
1-24 AN ACT

1-25 relating to the elimination of the remittance of a portion of
1-26 certain loan administration fees to the comptroller.

1-27 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-28 SECTION 1. Section 342.201(f), Finance Code, is amended to
1-29 read as follows:

1-30 (f) A loan contract under this subchapter may provide for an
1-31 administrative fee in an amount not to exceed \$25 for a loan of more
1-32 than \$1,000 or \$20 for a loan of \$1,000 or less. The administrative
1-33 fee is considered earned when the loan is made or refinanced and is
1-34 not subject to refund. An administrative fee is not interest. A
1-35 lender refinancing the loan may not contract for or receive an
1-36 administrative fee for the loan more than once in any 180-day
1-37 period, except that if the loan has an interest charge authorized by
1-38 Subsection (e) the lender may not contract for or receive the
1-39 administrative fee more than once in any 365-day period. ~~[One~~
1-40 ~~dollar of each administrative fee may be deposited with the~~
1-41 ~~comptroller for use in carrying out the finance commission's~~
1-42 ~~responsibilities under Section 11.3055.]~~

1-43 SECTION 2. Section 342.308(c), Finance Code, is amended to
1-44 read as follows:

1-45 (c) An administrative fee under Subsection (a)(9) is
1-46 considered earned when the loan is made or refinanced and is not
1-47 subject to refund. A lender refinancing the loan may not contract
1-48 for or receive an administrative fee for the loan more than once in
1-49 any 180-day period. ~~[Fifty cents of each administrative fee may be~~
1-50 ~~deposited with the comptroller for use in carrying out the finance~~
1-51 ~~commission's responsibilities under Section 11.3055.]~~

1-52 SECTION 3. The change in law made by this Act does not
1-53 affect tax liability accruing before the effective date of this
1-54 Act. That liability continues in effect as if this Act had not been
1-55 enacted, and the former law is continued in effect for the
1-56 collection of taxes due and for civil and criminal enforcement of
1-57 the liability for those taxes.

1-58 SECTION 4. This Act takes effect January 1, 2026.

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