

By: Louderback

H.B. No. 5144

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting certain deceptive trade practices by businesses assisting veterans with Department of Veterans Affairs claims.

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

SECTION 1. Subchapter E, Chapter 17, Business and Commerce Code, is amended by adding Sections 17.465 and 17.466 to read as follows:

Sec. 17.465. PROHIBITED PRACTICES FOR BUSINESSES ASSISTING VETERANS. (a) A business operating in this state which advertises its services to veterans with regard to claims preparation, presentation, and prosecution with the Department of Veterans Affairs is prohibited from engaging in false, misleading, or deceptive acts or practices, including:

(1) causing confusion or misrepresenting directly or by implication the actual costs of participation in the business's programs or membership programs;

(2) causing confusion directly or by implication about the types of services offered and provided by the business or the benefits of such services;

(3) offering to provide or providing a veteran with individualized, personal advice while preparing, prosecuting, or presenting a veteran's specific disability claims unless offering such advice through individuals accredited by the Department of

1 Veterans Affairs;

2 (4) causing confusion regarding its affiliation with
3 the Department of Veterans Affairs; or

4 (5) accessing or seeking to access the Department of
5 Veterans Affairs benefit information of a veteran through the
6 Department of Veterans Affairs' eBenefits portal.

7 (b) A business that violates this section is liable to this
8 state for a civil penalty. A civil penalty assessed under this
9 subsection may not exceed \$25,000 per violation.

10 SECTION 2. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2025.