

1-1 By: Hancock S.B. No. 2690  
1-2 (In the Senate - Filed March 13, 2025; April 3, 2025, read  
1-3 first time and referred to Committee on Business & Commerce;  
1-4 May 5, 2025, reported favorably by the following vote: Yeas 11,  
1-5 Nays 0; May 5, 2025, sent to printer.)

1-6 COMMITTEE VOTE

		Yea	Nay	Absent	PNV
1-7	Schwertner	X			
1-8	King	X			
1-9	Blanco	X			
1-10	Campbell	X			
1-11	Creighton	X			
1-12	Johnson	X			
1-13	Kolkhorst	X			
1-14	Menéndez	X			
1-15	Middleton	X			
1-16	Nichols	X			
1-17	Zaffirini	X			
1-18					

1-19 A BILL TO BE ENTITLED  
1-20 AN ACT

1-21 relating to solicitations for the retrieval of certain documents  
1-22 from the secretary of state; providing a civil penalty.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Chapter 17, Business & Commerce Code, is amended  
1-25 by adding Subchapter M to read as follows:

1-26 SUBCHAPTER M. SOLICITATIONS FOR RETRIEVAL OF CERTAIN GOVERNMENT  
1-27 DOCUMENTS

1-28 Sec. 17.961. DEFINITION. In this subchapter, "business  
1-29 certification document" means a document:

1-30 (1) required to be filed with the secretary of state  
1-31 under Chapter 4, Business Organizations Code; or  
1-32 (2) produced by the secretary of state affirming that  
1-33 a document described by Subdivision (1) was filed or that a specific  
1-34 business organization exists.

1-35 Sec. 17.962. REQUIRED DISCLOSURE FOR MAIL SOLICITATIONS.

1-36 (a) A nongovernmental entity or individual may not mail, or direct  
1-37 another person to mail, a solicitation for the retrieval of a  
1-38 business certification document unless the solicitor includes with  
1-39 the mailed solicitation the disclosure required by this section,  
1-40 prominently displayed in 18-point, boldfaced type, and in capital  
1-41 letters in English, Spanish, and any other language in which the  
1-42 solicitation is printed.

1-43 (b) The disclosure described by Subsection (a) must state:

1-44 "THIS NOTICE IS NOT FROM A GOVERNMENTAL ENTITY. BUSINESS  
1-45 CERTIFICATION DOCUMENTS CAN BE OBTAINED DIRECTLY FROM THE TEXAS  
1-46 SECRETARY OF STATE'S OFFICE."

1-47 Sec. 17.963. REQUIRED DISCLOSURE FOR TELEPHONE OR IN-PERSON  
1-48 SOLICITATIONS. (a) A nongovernmental entity or individual may not  
1-49 make, or direct another person to make, a telephone or in-person  
1-50 solicitation for the retrieval of a business certification document  
1-51 unless the solicitor provides to each person solicited, at the  
1-52 beginning of the solicitation and again before accepting payment  
1-53 from the person, the disclaimer described by Subsection (b).

1-54 (b) The solicitor described by Subsection (a) must state to  
1-55 the person being solicited:

1-56 "I DO NOT WORK FOR A GOVERNMENTAL ENTITY. BUSINESS  
1-57 CERTIFICATION DOCUMENTS CAN BE OBTAINED DIRECTLY FROM THE TEXAS  
1-58 SECRETARY OF STATE'S OFFICE."

1-59 (c) The disclaimer described by Subsection (b) must be made  
1-60 slowly, in a clear voice, and in the same language in which the  
1-61 solicitation is made.

2-1        Sec. 17.964. INVESTIGATION. (a) A complaint concerning a  
2-2 violation of this subchapter may be made to the secretary of state.

2-3        (b) The secretary of state shall investigate a complaint  
2-4 made under Subsection (a). The secretary of state may refer the  
2-5 complaint to the attorney general.

2-6        Sec. 17.965. CIVIL PENALTY. (a) A person who violates this  
2-7 subchapter is liable to this state for a civil penalty in an amount  
2-8 not to exceed \$500 for each violation. Each solicitation is a  
2-9 separate violation for purposes of this subsection.

2-10        (b) In determining the amount of the civil penalty imposed  
2-11 under this section, the court shall consider the amount necessary  
2-12 to deter future violations.

2-13        (c) The attorney general or the county attorney or district  
2-14 attorney in the county in which the violation occurs may bring an  
2-15 action to recover a civil penalty under this section.

2-16        SECTION 2. The changes in law made by this Act apply only to  
2-17 a solicitation made on or after the effective date of this Act.

2-18        SECTION 3. This Act takes effect September 1, 2025.

2-19        \* \* \* \* \*