

BILL ANALYSIS

C.S.H.B. 411
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Business & Industry
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties have raised concerns regarding the lack of regulations for credit access businesses that make unsolicited telemarketing calls to a customer with whom the business does not have a relationship. The parties assert that a mechanism is needed to prevent these businesses from soliciting potential customers over the phone without an established relationship or except for debt collection purposes. C.S.H.B. 411 seeks to revise current law to remedy this issue.

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

C.S.H.B. 411 amends the Business & Commerce Code to make the Texas Telemarketing Disclosure and Privacy Act applicable to a licensed credit access business.

C.S.H.B. 411 amends the Finance Code to prohibit a credit access business or a representative of a credit access business from making a telemarketing call to a consumer, regardless of whether the consumer's name and telephone number are on the Texas no-call list maintained under the Texas Telemarketing Disclosure and Privacy Act.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 411 differs from the original only by amending the caption.