

BILL ANALYSIS

Senate Research Center
78R9358 RCJ-F

C.S.S.B. 1526
By: Brimer
Business & Commerce
4/8/2003
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, information contained in an application for a motor vehicle sales finance license issued by the Office of Consumer Credit Commissioner (CCC) is not confidential and could be subject to open records requests. The CCC may require, as part of an application for a license, that auto dealerships provide fingerprints of persons not involved in the direct sale or finance of vehicles. As proposed, C.S.S.B. 1526 provides that information contained in an application for license issued by the CCC or relating to a license holder is confidential and not public record. This bill also prohibits the CCC from requiring fingerprints of a person who is not regularly and actively engaged in the conduct of motor vehicle sales finance, or suspending, revoking, or refusing to grant a license based on failure to produce fingerprints.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 348A, Finance Code, by adding Section 348.013, as follows:

Sec. 348.013. CONFIDENTIALITY OF CERTAIN INFORMATION. (a) Provides that, except as provided by Subsection (b), information contained in an application for a license under Section 348.502 or other information relating to a license holder or license applicant that is on file with the consumer credit commissioner (CCC) is confidential and not open to public inspection.

(b) Authorizes information made confidential by this section to be disclosed in a judicial or administrative proceeding pursuant to a lawful subpoena.

SECTION 2. Amends Chapter 348F, Finance Code, by adding Section 348.5045, as follows:

Sec. 348.5045. FINGERPRINTS. Prohibits the CCC from performing certain activities.

SECTION 3. Effective date: September 1, 2003.

SUMMARY OF COMMITTEE CHANGES

Amends the relating clause.

SECTION 1. Amends As Filed S.B. 1526 by adding Section 348.013 to Chapter 348A, Finance Code, rather than amending Section 348.502, Finance Code.

SECTION 2. Amends Chapter 348F, Finance Code, by adding Section 348.5045.

SECTION 3. Redesignated from former SECTION 2.