

## **BILL ANALYSIS**

Senate Research Center

H.B. 523  
By: Giddings (Fraser)  
Business & Commerce  
5/1/2009  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

H.B. 523 prohibits a person from printing an individual's driver's license number on a receipt or other document that evidences payment for a sale of goods or services and is provided to the individual. This bill provides that a person who violates this provision is liable to the state for a civil penalty in an amount not to exceed \$500 for each calendar month in which a violation occurs, and prohibits the civil penalty from being imposed for more than one violation that occurs in a month. The bill authorizes the attorney general or the prosecuting attorney in the county in which the violation occurs to bring an action to recover the civil penalty.

### **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 Subchapter C, Chapter 501, Business & Commerce Code, as effective April 1, 2009, by adding Section 501.1011, as follows:

Sec. 501.1011. SALES RECEIPT CONTAINING DRIVER'S LICENSE NUMBER PROHIBITED. Prohibits a person from printing an individual's driver's license number on a receipt that evidences payment for a sale of goods or services and is provided to the individual.

SECTION 2. Amends Section 501.102, Business & Commerce Code, as effective April 1, 2009, by amending Subsection (a) and adding Subsection (a-1), as follows:

(a) Provides that a person who violates Section 501.101 (Use of Consumer Driver's License or Social Security Number by Merchant or Certain Third Party), rather than this subchapter, is liable to this state for a civil penalty in an amount not to exceed \$500 for each violation. Authorizes the attorney general or the prosecuting attorney in the county in which the violation occurs to bring an action to recover the civil penalty imposed under this subsection, rather than under this section.

(a-1) Provides that a person who violates Section 501.1011 is liable to this state for a civil penalty in an amount not to exceed \$500 for each calendar month in which a violation occurs. Prohibits the civil penalty from being imposed for more than one violation that occurs in a month. Authorizes the attorney general or the prosecuting attorney in the county in which the violation occurs to bring an action to recover the civil penalty imposed under this subsection.

SECTION 3. Effective date: January 1, 2010.