

## **BILL ANALYSIS**

Senate Research Center  
86R7962 CLG-F

H.B. 883  
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State Affairs  
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Engrossed

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

Perpetrators of Internet-based fraud frequently target persons 65 years of age or older. Such persons are not only particularly vulnerable to these schemes, but also tend to lose substantially more money when they are the victims of online scams, according to the Federal Trade Commission.

H.B. 883 would address this problem by allowing a court discretion to award up to three times the amount of actual damages in a civil action for Internet fraud when the victim is a senior citizen.

H.B. 883 amends current law relating to using the Internet to obtain identifying information about an elderly individual for a fraudulent purpose.

### **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 Section 325.006, Business & Commerce Code, by amending Subsection (c) and adding Subsection (f), as follows:

(c) Makes a nonsubstantive change. Authorizes the court to increase the amount of an award of actual damages in an action brought under this section (Civil Action For Injunctive Relief or Damages) to an amount not to exceed three times the actual damages sustained if the court finds that the violation:

(1) creates this subdivision from existing text and makes a nonsubstantive change;  
or

(2) adversely affected an elderly individual.

(f) Defines "elderly individual" for purposes of this section.

SECTION 2. Effective date: September 1, 2019.