

**BILL ANALYSIS**

Senate Research Center  
80R6257 UM-F

H.B. 1519  
By: Smith of Tarrant, Pena (Carona)  
State Affairs  
5/9/2007  
Engrossed

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

Current law restricts the solicitation of injury victims by attorneys, chiropractors, physicians, surgeons, healthcare professionals, and private investigators. However, certain chiropractors and telemarketing firms have found a way around such restrictions by obtaining motor vehicle accident reports and using the information in those reports to solicit parties to an accident.

H.B. 1519 prohibits the solicitation of an accident or disaster victim for 31 days after the accident or disaster occurred.

**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 38.12, Penal Code, is amended by adding Subsection (d-1) and amending Subsection (g), as follows:

(d-1) Provides that a person commits an offense if the person, being licensed to practice in this state, or licensed, certified, or registered by a health care regulatory agency of this state as a chiropractor, physician, surgeon, or private investigator, with the intent to obtain professional employment for the person or another person, solicits or causes to be solicited, in person or by telephone, employment related to a personal injury sustained in an accident or disaster involving the solicited person or a relative of that person before the 31<sup>st</sup> day after the date the accident or disaster occurred.

(g) Provides that an offense under Subsection (d-1) is a Class A misdemeanor, except as provided by Subsection (h).

SECTION 2. Effective date: September 1, 2007.