

By: Smith of Tarrant

H.B. No. 148

A BILL TO BE ENTITLED

1 AN ACT

2 relating to including within the offense of barratry and
3 solicitation of professional employment certain solicitations made
4 during certain periods.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 38.12, Penal Code, is amended by adding
7 Subsection (d-1) and amending Subsection (g) to read as follows:

8 (d-1) A person commits an offense if:

9 (1) the person is a chiropractor, physician, surgeon,
10 or private investigator licensed to practice in this state, or is
11 licensed, certified, or registered by a health care regulatory
12 agency of this state;

13 (2) the person, with the intent to obtain professional
14 employment for the person or another person, solicits or causes to
15 be solicited, in person or by telephone, employment that relates to
16 a personal injury sustained in an accident or disaster involving
17 the solicited person or a relative of that person; and

18 (3) the solicitation described by Subdivision (2)
19 occurs before the 31st day after the date the accident or disaster
20 occurred.

21 (g) Except as provided by Subsection (h), an offense under
22 Subsection (d) or (d-1) is a Class A misdemeanor.

23 SECTION 2. This Act takes effect September 1, 2009.