

1-1 By: Hughes S.B. No. 2140  
1-2 (In the Senate - Filed March 7, 2019; March 21, 2019, read  
1-3 first time and referred to Committee on State Affairs;  
1-4 April 9, 2019, reported favorably by the following vote: Yeas 9,  
1-5 Nays 0; April 9, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Huffman	X		
1-9	Hughes	X		
1-10	Birdwell	X		
1-11	Creighton	X		
1-12	Fallon	X		
1-13	Hall	X		
1-14	Lucio	X		
1-15	Nelson	X		
1-16	Zaffirini	X		

1-17 A BILL TO BE ENTITLED  
1-18 AN ACT

1-19 relating to the amount of civil penalties the attorney general may  
1-20 seek to recover under the Deceptive Trade Practices-Consumer  
1-21 Protection Act.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 17.47(c), Business & Commerce Code, is  
1-24 amended to read as follows:

1-25 (c) In addition to the request for a temporary restraining  
1-26 order, or permanent injunction in a proceeding brought under  
1-27 Subsection (a) of this section, the consumer protection division  
1-28 may request, and the trier of fact may award, a civil penalty to be  
1-29 paid to the state in an amount of:

1-30 (1) not more than \$10,000 [~~\$20,000~~] per violation; and

1-31 (2) if the act or practice that is the subject of the  
1-32 proceeding was calculated to acquire or deprive money or other  
1-33 property from a consumer who was 65 years of age or older when the  
1-34 act or practice occurred, an additional amount of not more than  
1-35 \$250,000.

1-36 SECTION 2. The changes in law made by this Act apply only to  
1-37 an action filed by the consumer protection division under Section  
1-38 17.47, Business & Commerce Code, on or after the effective date of  
1-39 this Act. An action filed by the consumer protection division under  
1-40 Section 17.47, Business & Commerce Code, before the effective date  
1-41 of this Act is governed by the law in effect on the date the action  
1-42 is filed, and the former law is continued in effect for that  
1-43 purpose.

1-44 SECTION 3. This Act takes effect September 1, 2019.

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