

1-1 By: King S.B. No. 2417  
1-2 (In the Senate - Filed March 12, 2025; March 25, 2025, read  
1-3 first time and referred to Committee on State Affairs; May 6, 2025,  
1-4 reported favorably by the following vote: Yeas 11, Nays 0;  
1-5 May 6, 2025, sent to printer.)

1-6 COMMITTEE VOTE

1-7	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			

1-19 A BILL TO BE ENTITLED  
1-20 AN ACT

1-21 relating to investigations conducted and actions brought by the  
1-22 attorney general under the Texas Free Enterprise and Antitrust Act  
1-23 of 1983.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 15.10, Business & Commerce Code, is  
1-26 amended by adding Subsection (1) to read as follows:

1-27 (1) Interview notes.

1-28 (1) In the course of an antitrust investigation, the  
1-29 attorney general may conduct an interview with one or more persons  
1-30 who may have relevant information about the subject of the  
1-31 investigation. Written notes or typed memoranda developed from  
1-32 interviews conducted under this subdivision constitute attorney  
1-33 work product memorializing the mental impressions of the attorney  
1-34 general. The written notes or typed memoranda are confidential and  
1-35 not subject to disclosure under Chapter 552, Government Code.

1-36 (2) If, as a result of the investigation, the attorney  
1-37 general files suit for a violation of this chapter, the written  
1-38 notes and typed memoranda described by Subdivision (1) and the  
1-39 information contained in the written notes and typed memoranda  
1-40 reflect the mental impressions of the attorney general and are:

1-41 (A) entitled to all protections afforded by law  
1-42 to material subject to the attorney work product doctrine; and

1-43 (B) protected from disclosure in response to any  
1-44 discovery request.

1-45 SECTION 2. Section 15.20, Business & Commerce Code, is  
1-46 amended by adding Subsection (b-1) to read as follows:

1-47 (b-1) In an action brought by the attorney general under  
1-48 this section, the attorney general is the sole party for discovery  
1-49 purposes and is considered to lack possession, custody, or control  
1-50 over documents in the possession of members of the legislature,  
1-51 other state officers, or any state agencies or institutions.

1-52 SECTION 3. This Act takes effect September 1, 2025.

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