A BILL TO BE ENTITLED

AN ACT
relating to a restriction on charges charged for certain extensions
of consumer credit that a credit access business obtains for a
consumer or assists a consumer in obtaining.

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

SECTION 1. Subchapter D, Chapter 393, Finance Code, is
amended by adding Section 393.308 to read as follows:

Sec. 393.308. RESTRICTION ON INTEREST CHARGED IN CONNECTION
WITH CERTAIN EXTENSIONS OF CONSUMER CREDIT FACILITATED BY CREDIT
ACCESS BUSINESS. (a) In this section, "credit access business" has
the meaning assigned by Section 393.601.

(b) For purposes of this section, the annual percentage rate
of an extension of consumer credit is calculated including the
total charges charged to the consumer in connection with the
extension of consumer credit, including interest, lender charges,
and any fees or any other valuable consideration received by the
credit access business.

(c) The annual percentage rate of an extension of consumer
credit in the form of a deferred presentment transaction or motor
vehicle title loan that a credit access business obtains for a
consumer or assists a consumer in obtaining may not exceed 36
percent.

SECTION 2. Section 393.602(b), Finance Code, is amended to
read as follows:
(b) Subject to Section 393.308, a credit access business may assess fees for its services as agreed to between the parties. A credit access business fee may be calculated daily, biweekly, monthly, or on another periodic basis. A credit access business is permitted to charge amounts allowed by other laws, as applicable. A fee may not be charged unless it is disclosed.

SECTION 3. The changes in law made by this Act to Chapter 393, Finance Code, apply only to an extension of consumer credit made on or after the effective date of this Act. An extension of consumer credit made before the effective date of this Act is governed by the law in effect on the date the extension of consumer credit was made, and the former law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2015.