

## **BILL ANALYSIS**

Senate Research Center

S.B. 1007  
By: Ellis  
Jurisprudence  
4-1-97  
As Filed

### **DIGEST**

Currently, the consumer protection division of the attorney general's office is authorized to seek a civil penalty of up to \$2,000 per violation, not to exceed a total of \$10,000 in a deceptive trade practices case. Elderly citizens are often the target of deceptive trade practices and fraudulent schemes. The majority of elderly citizens are particularly vulnerable to such practices due to physical limitations and low income. This bill will increase the civil penalty for deceptive trade practices against elderly consumers.

### **PURPOSE**

As proposed, S.B. 1007 increases the civil penalty for deceptive trade practices against elderly consumers.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 17.47(c), Business and Commerce Code, to authorize the consumer protection division of the attorney general's office, in a deceptive trade practices case, to request a civil penalty to be paid to the state in an amount of not more than \$10,000 per violation, not to exceed a total of \$100,000, if the consumer protection division determines that the act or practice that is the subject of the proceeding was calculated to acquire or deprive money or other property from a consumer who was 60 years of age or older when the act or practice occurred.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Emergency clause.  
Effective date: upon passage.