

BILL ANALYSIS

Senate Research Center
78R785 MI-F

C.S.H.B. 249
By: Goolsby (Madla)
Intergovernmental Relations
5/21/2003
Committee Report (Substituted)

DIGEST AND PURPOSE

Most county officers are currently allowed to set and collect a fee of \$15 to \$30 for a returned check, but a county clerk can only charge \$15 to \$25. C.S.H.B. 249 authorizes a county clerk to set and collect a fee up to \$30 for a returned check. The bill also authorizes any holder of a dishonored check to charge the drawer or endorser a processing fee of not more than \$30, rather than \$25.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 3.506(a), Business & Commerce Code, to authorize a holder, holder's assignee, agent, or representative, or any other person retained by the holder to seek collection of the face value of a dishonored check, on return of a check to the holder following dishonor of the check, to charge the drawer or endorser a reasonable processing fee of not more than \$30, rather than \$25.

SECTION 2. Amends Section 118.011(b), Local Government Code, to authorize a county clerk to set and collect a returned check fee of not less than \$15 or more than \$30, rather than \$25.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2003.