

BILL ANALYSIS

Senate Research Center
88R23942 SHH-F

H.B. 4507
By: Moody (Alvarado)
State Affairs
5/18/2023
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 4507 amends current law relating to the jurisdiction of county attorneys to prosecute the deceptive trade practice of price gouging during a declared disaster.

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 17.4625, Business and Commerce Code, by adding Subsection (c) to provide that a county attorney has concurrent jurisdiction with the attorney general to prosecute an action under Section 17.46(b)(27) (relating to providing that the term "false, misleading, or deceptive acts or practices" includes taking advantage of a declared disaster to set an exorbitant or excessive price).

SECTION 2. Amends Section 17.48(d), Business and Commerce Code, to provide that a county attorney is not required to obtain the permission of the consumer protection division to prosecute an action under Subchapter E (Deceptive Trade Practices and Consumer Protection) for a violation of Section 17.46(b)(27), if the county attorney provides prior written notice to the division as required by Subsection (b) (relating to authorizing a district or county attorney, with prior written notice to the consumer protection division, to institute and prosecute actions seeking injunctive relief under Subchapter E, after complying with the prior contract provisions of a certain subsection).

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: upon passage or September 1, 2023.