

BILL ANALYSIS

H.B. 3400
By: Walle
Business & Industry
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerned parties report that currently, if a company is found to have engaged in unlawful price-fixing, the only consumers who can recover damages are those who purchased the price-fixed product directly from the company. If a consumer made an indirect purchase of a price-fixed product, that is, the consumer purchased a product that was made from a price-fixed product, consumer protections are limited. The parties point out that this situation can result in Texas consumers receiving nothing under a federal price-fixing settlement. H.B. 3400 seeks to address this situation.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3400 amends the Business & Commerce Code to authorize a person whose business or property has been injured by reason of any conduct prohibited or declared unlawful by the Texas Free Enterprise and Antitrust Act of 1983 to sue another person to recover damages or for injunctive relief, regardless of whether the injured person dealt directly or indirectly with the defendant.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.