

BILL ANALYSIS

Senate Research Center
77R10595 JJT-D

H.B. 1034
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Business & Commerce
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Engrossed

DIGEST AND PURPOSE

Some advertisements for television satellite services or equipment, and wireless telephone services contain small type or incomplete information about the costs of services and equipment. This can make it difficult for an individual to read the information and for the individual to obtain the accurate pricing information. H.B. 1034 prohibits a person from displaying or publishing information regarding the costs of these services or equipment unless the information is printed in at least eight-point type.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

H.B. 1034 amends the Business & Commerce Code to prohibit a person who sells or provides to another person in this state a satellite television service, wireless telephone or wireless telephone service, Internet access service provided by use of a wireless telephone, a satellite television receiver dish, a satellite television receiver or decoder, or other equipment in conjunction with these services from displaying or publishing information regarding the price for the service and equipment within a written advertisement unless the price information is printed in at least eight-point type. The bill further provides that the information must be complete and clear regarding service or equipment charges or penalties the consumer may incur. A person who violates a provision is liable to the state for a civil penalty not to exceed \$1,000 for each violation and for each day of a continuing violation. The bill authorizes the attorney general or prosecuting attorney in the county in which the violation occurred to bring suit to recover the civil penalty. The attorney general may also bring an action in the name of the state to restrain or enjoin a person from violating this provision.

EFFECTIVE DATE September 1, 2001.