BILL ANALYSIS

Senate Research Center   S.B. 2192
81R95620 BEF-D   By: Wentworth
                                                                                                                  Business & Commerce
                                                                                                                              4/24/2009
                                                                                                                              As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, in certain situations, a consumer may cancel a consumer transaction not later than midnight of the third business day after the date the consumer signs an agreement or offer to purchase.

As proposed, S.B. 2192 amends current law relating to the regulation of certain consumer transactions involving plumbing, air conditioning, and electrical services.

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 Subchapter A, Chapter 1301, Occupations Code, by adding Section 1301.004, as follows:

> Sec. 1301.004. NONAPPLICABILITY OF LAW GOVERNING CANCELLATION OF CERTAIN TRANSACTIONS. Provides that Chapter 39 (Cancellation of Certain Consumer Transactions), Business & Commerce Code, does not apply to a good or service provided by a license holder under this chapter if the transaction involving the good or service is initiated by the consumer.

SECTION 2. Amends Subchapter A, Chapter 1302, Occupations Code, by adding Section 1302.003, as follows:

> Sec. 1302.003. NONAPPLICABILITY OF LAW GOVERNING CANCELLATION OF CERTAIN TRANSACTIONS. Provides that Chapter 39, Business & Commerce Code, does not apply to a good or service provided by a license holder under this chapter if the transaction involving the good or service is initiated by the consumer.

SECTION 3. Amends Subchapter A, Chapter 1305, Occupations Code, by adding Section 1305.004, as follows:

> Sec. 1305.004. NONAPPLICABILITY OF LAW GOVERNING CANCELLATION OF CERTAIN TRANSACTIONS. Provides that Chapter 39, Business & Commerce Code, does not apply to a good or service provided by a license holder under this chapter if the transaction involving the good or service is initiated by the consumer.

SECTION 4. Effective date: upon passage or September 1, 2009.