

1 AN ACT

2 relating to the disclosure of certain information by persons
3 offering to aid homeowners in obtaining property tax refunds.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. The heading to Section 41.0051, Property Code,
6 is amended to read as follows:

7 Sec. 41.0051. DISCLAIMER AND DISCLOSURE REQUIRED.

8 SECTION 2. Section 41.0051, Property Code, is amended by
9 amending Subsection (b) and adding Subsection (c) to read as
10 follows:

11 (b) A person who solicits solely by mail or by telephone a
12 homeowner to pay a fee for the service of applying for a property
13 tax refund from a tax appraisal district or other governmental body
14 on behalf of the homeowner shall, before accepting money from the
15 homeowner or signing a contract with the homeowner for the person's
16 services, disclose to the homeowner the name of the tax appraisal
17 district or other governmental body that owes the homeowner a
18 refund.

19 (c) A person's failure to provide a disclaimer on an
20 advertisement as required by Subsection (a) or to provide the
21 disclosure required by Subsection (b) is considered a false,
22 misleading, or deceptive act or practice for purposes of Section
23 17.46(a), Business & Commerce Code, and is subject to action by the
24 consumer protection division of the attorney general's office as

1 provided by Section 17.46(a), Business & Commerce Code.

2 SECTION 3. This Act takes effect September 1, 2003.

David Newkum
President of the Senate

Jim Crabtree
Speaker of the House

I hereby certify that S.B. No. 853 passed the Senate on April 25, 2003, by a viva-voce vote.

Patsy Spaw
Secretary of the Senate

I hereby certify that S.B. No. 853 passed the House on May 25, 2003, by a non-record vote.

Robert Hemeny
Chief Clerk of the House

Approved:

20 JUN '03

Date

Rock Peery
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
8:30 PM O'CLOCK

JUN 20 2003
Ann Shea
Secretary of State