

## CHAPTER 229

## S.B. No. 1075

## AN ACT

relating to payment of fees for registration and licensing under Title 79, Revised Statutes.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Article 8.01, Title 79, Revised Statutes (Article 5069–8.01, Vernon's Texas Civil Statutes), is amended by adding Section (i) to read as follows:

*(i) Any person who has or obtains a registration or license required by this Title, which registration or license was obtained at any time after the date on which the registration or license was required, may pay to the Consumer Credit Commissioner all registration or license fees that should have been paid pursuant to this Title for any and all prior years, plus a late filing fee pursuant to this section. In the case of a person who has or obtains a registration, the late filing fee shall be \$250 except that, if the person renews a registration within 30 days after the due date, there shall be no penalty. If a person pays the required registration fees for the prior periods and the late filing fee, the person shall be deemed for all purposes to have had the required registration for the periods for which the registration fees have been paid. In the case of a person who has or obtains a license, the late filing fee shall be \$10,000 except that if the person previously had a license and the prior license was in good standing at the time of its expiration, and the person renews such license within 180 days of its expiration, the late filing fee shall be \$1,000. If a person renews an expired license by payment of the license and late filing fees, the person shall be deemed for all purposes to have held the required license as if it had not expired. If a person has or obtains a license and pays the required license fees for prior periods and the late filing fee, the person shall be deemed for all purposes to have had the required license for such periods but only as to loans as to which the person has not contracted for, charged, or received interest in excess of that which would be allowed under Article 1.04(a) as modified by Article 1.04(b) of this Title. A person who is deemed to have had a registration or license pursuant to this section shall not be subject to any liability, forfeiture, or penalty under this Title or other law, other than as set forth in this section, resulting from or relating to the fact that the person did not have the registration or license at or during the earlier periods for which the required registration or license fees and late filing fee, as provided in this section, have since been paid. The acquisition of the registration or license and payment of the filing fees and late filing fee by a person shall also inure to the benefit of that person's employees, agents, employers, representatives, predecessors, successors, and assigns but not to the benefit of any other person who should have been licensed under this Title.*

SECTION 2. This Act does not apply to any certified class action which was pending as of March 12, 1993. With respect to any lawsuit other than a class action described in the preceding sentence, this Act does not affect the claim of any person who filed a pleading on or before March 12, 1993, which asserted the claim in such other lawsuit.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on April 6, 1993: Yeas 29, Nays 1; the Senate concurred in House amendment on May 5, 1993: Yeas 30, Nays 0; passed the House, with amendment, on April 30, 1993: Yeas 122, Nays 0, one present not voting.

Approved May 20, 1993.

Effective May 20, 1993.