

NOTICE OF PRECOMMENT DRAFT & ONLINE WEBINAR
Crafted Precious Metal Dealer Fee Adjustment
November 16, 2021 at 2:00 p.m.

The Office of Consumer Credit Commissioner (OCCC) will hold an online webinar on November 16, 2021, at 2:00 p.m. During the webinar, the OCCC will discuss the November 4 precomment draft of rule amendments to adjust registration fees for crafted precious metal dealers. The OCCC will also accept informal written precomments until 5:00 p.m. on December 1. The OCCC plans to present these rules for proposal at the Finance Commission's December 17 meeting.

Summary of Rule Amendments

The amendments include two adjustments to the registration fees for crafted precious metal dealers in 7 Tex. Admin. Code Section 85.1011:

- The annual registration fee for permanent locations would be increased from \$50 to \$70.
- The annual registration fee for temporary locations would be increased from \$25 to \$45.

These amendments would implement SB 1132, a bill that the Texas Legislature passed in 2021. SB 1132 added Section 1956.06131 to the Texas Occupations Code, requiring the OCCC to conduct at least 10 examinations of crafted precious metal dealers each year. The OCCC believes that a \$20 increase to registration fees would enable the OCCC to fund the additional costs resulting from these examinations. As a self-directed, semi-independent agency, the OCCC is responsible for the costs of its operations, and is authorized to set fees in amounts necessary to carry out the agency's functions.

Participating in Webinar

Stakeholders are invited to listen and participate in the online webinar. Please follow the instructions available at: <https://attendee.gotowebinar.com/register/4704988794836748559>

Submission of Informal Precomments

Informal precomments on the draft rules may be submitted by email to rule.comments@occc.texas.gov, or by mail to Matthew Nance, Deputy General Counsel, Office of Consumer Credit Commissioner, 2601 North Lamar Blvd., Austin, Texas 78705.

Informal precomments on the OCCC's November 4 precomment draft must be received by 5:00 p.m. on December 1, 2021.

**OCCC Crafted Precious Metal Dealer Fee Adjustment
11/4/2021 Precomment Draft**

Title 7, Texas Administrative Code

Part 5. Office of Consumer Credit Commissioner

Chapter 85. Pawnshops and Crafted Precious Metal Dealers

Subchapter B. Rules for Crafted Precious Metal Dealers

Division 1. Registration Procedures

§85.1011. Fees

(a) Fee for permanent registered locations. In connection with a new application or an annual renewal, a crafted precious metal dealer must pay a \$70 [~~\$50~~] fee for each permanent registered location.

(b) Fee for temporary locations. In connection with a new application for a temporary location, a crafted precious metal dealer must pay a \$45 [~~\$25~~] fee for each temporary location.

(c) Amendments to permanent registered location. In order to amend a registration by changing the assumed name of the registrant or relocating a permanent registered location, a crafted precious metal dealer must pay a \$25 fee.

(d) Amendments to temporary location. In order to amend a registration by relocating a temporary location, a crafted precious metal dealer must pay a fee of \$25 for each amended location.

(e) Fees nonrefundable, nontransferable, and not prorated. All fees paid relating to a crafted precious metal dealer's registration with the OCCC are nonrefundable and nontransferable. All fees are fixed and will not be prorated based on the date of the dealer's application.

(f) Nonsufficient funds fee. As provided by Texas Business and Commerce Code, §3.506, the OCCC may charge a fee for nonsufficient funds if an applicant provides a payment device that is dishonored.