

The State of Texas
House of Representatives



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OPINION COMMITTEE

Jim Jackson
DISTRICT 115
January 10, 2012

FILE # ML-46927-12
I.D. # 46927

The Honorable Greg Abbott
Attorney General of the State of Texas
Attn: Jason Boatright, Chair
Opinion Committee
P. O. Box 12548
Austin, Texas 78711-2548

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

RQ-1036-GA

Re: Request for Opinion regarding Service Fee

Dear General Abbott:

This letter is written to request your opinion on a matter of Texas law regarding a consumer transaction at an establishment such as a fast food restaurant. I seek your opinion on whether or not Texas law permits an establishment such as a fast food restaurant to charge an itemized and disclosed "Service Fee" in connection with a purchase by a consumer.

I am attaching an example of such a Service Fee.

- Example 1 is an example of a register receipt that reflects a 37 cent Service Fee charged in connection with a purchase above \$10.
- Example 2 is an example of the signage and disclosure of the Service Fee that is placed on the consumer's side of the cash register.

Your attention to this matter is greatly appreciated. Please do not hesitate to contact Ryan Fisher in my Capitol Office if you have any questions regarding this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim".

Jim Jackson
State Representative

Sample Receipt

ABC Store
12345 Williams Ave
Austin, TX

10/27/2011

12:17:19 PM

Cashier: Kelly
Check 100098

1 Adult Buffet	9.99
1 Adult Drink	1.79
1 Adult Buffet	9.99
1 Adult Drink	1.79
Sub Total	23.56
Tax	2.06
Svc Fee	0.37
Total	25.99

Balance Due	25.99
Cash	30.00
Change	4.01

You Order Number is
123



37¢ Service Fee on all Sales over \$10

