

Troutman Pepper State Attorneys General Monitor – February 3, 2023

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State attorneys general increasingly impact businesses in all industries. Our nationally recognized state AG team has been trusted by clients for 20 years to navigate their most-complicated state AG investigations and enforcement actions.

State Attorneys General Monitor analyzes regulatory actions by state AGs and other state administrative agencies throughout the nation. Contributors to this newsletter and related [blog](#) include attorneys experienced in regulatory enforcement, litigation, and compliance.

Contact our State AG Team at StateAG@troutman.com.

State AG Updates

20 YEARS OF STATE ATTORNEYS GENERAL MATTERS

The unique role of state attorneys general in the U.S. legal and political system has grown tremendously over the past 20 years. Troutman Pepper's nationally recognized State Attorneys General practice has been there every step of the way, advising clients on tough, high-profile state attorneys general enforcement, litigation, and

compliance matters. [View our interactive site highlighting the importance of state AGs, and how we can help.](#)

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INDIANA AG ROKITA ENDORSES BILL TO CURB ESG PRACTICES

By [Troutman Pepper State Attorneys General Team](#)

On January 26, Indiana Attorney General Todd Rokita issued a press release, endorsing Indiana House Bill 1008, which codifies Indiana Public Retirement System policy to prioritize the financial returns of public retirement funds ahead of environmental, social, and governance corporate policies. While still in the House, legislators expect the bill to pass by its effective July 1 date.

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STATE AGS LEAD FIGHT AGAINST HUMAN TRAFFICKING

By [Troutman Pepper State Attorneys General Team](#)

In recognition of *National Human Trafficking Month*, state attorneys general nationwide took steps in January to raise awareness about human trafficking, educate the public about how to identify and prevent this crime, and utilize their offices' resources and expertise to prosecute and prevent human trafficking. While numerous state and U.S. AGs take action year-round to rid the country of human trafficking, below find highlights of a few significant initiatives announced this month.

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TEXAS AG ALLEGES TITLE PROTECTION COMPANY POTENTIALLY DECEIVED CONSUMERS

By [Troutman Pepper State Attorneys General Team](#)

On January 24, Attorney General Ken Paxton announced an investigation of California-based title security company Home Title Lock for potential violations of the Texas Deceptive Trade Practices Act. In its civil investigative demand, the AG [alleged](#) the company may have misled consumers by making deceptive statements regarding its "home title monitoring and/or home title resolution services."

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CALIFORNIA AG AGREES WITH CFPB'S PRELIMINARY PREEMPTION DETERMINATION, URGES BUREAU TO FURTHER NARROW TILA PREEMPTION

By [Troutman Pepper State Attorneys General Team](#) and [Troutman Pepper Consumer Financial Services Team](#)

The Consumer Financial Protection Bureau (CFPB or Bureau) recently made a preliminary conclusion that a New York commercial financing law was not preempted by the Truth in Lending Act (TILA), and indicated it was also

considering making a preemption determination regarding similar state laws in California, Utah, and Virginia. On January 20, 2023, California Attorney General Rob Bonta submitted a [letter](#) to the CFPB agreeing with its preliminary determination that California's Commercial Financing Disclosures Law is not preempted by TILA because it does not apply to consumer credit transactions within the scope of TILA. Attorney General Bonta further urged the CFPB to articulate a narrower standard limiting preemption to situations where compliance with both TILA and the state law is not possible.

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