

1-1 By: Alvarado S.B. No. 246
 1-2 (In the Senate - Filed November 28, 2022; February 15, 2023,
 1-3 read first time and referred to Committee on Business & Commerce;
 1-4 April 19, 2023, reported favorably by the following vote: Yeas 11,
 1-5 Nays 0; April 19, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the regulation of motor fuel metering devices and motor
 1-22 fuel quality.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 2310.001(a), Occupations Code, is
 1-25 amended by amending Subdivisions (1), (3), (7), and (8) and adding
 1-26 Subdivisions (4-a), (5-a), (9-a), and (9-b) to read as follows:

1-27 (1) "Automotive fuel rating" has the meaning assigned
 1-28 by 15 U.S.C. Section 2821 [~~"Commercial weighing or measuring~~
 1-29 ~~device" means a weighing or measuring device used in a commercial~~
 1-30 ~~transaction~~].

1-31 (3) "Dealer" means a person who [~~+~~
 1-32 [~~(A)~~] is the operator of a [~~service station or~~
 1-33 ~~other~~] retail motor fuel facility [~~outlet, and~~
 1-34 [~~(B) delivers motor fuel into the fuel tanks of~~
 1-35 ~~motor vehicles or motor boats~~].

1-36 (4-a) "Distributor" means a person who makes retail or
 1-37 wholesale sales of motor fuel.

1-38 (5-a) "Measuring device" means a mechanical or
 1-39 electronic device used to:

1-40 (A) dispense or deliver a motor fuel by volume,
 1-41 flow rate, or other measure; or

1-42 (B) compute the charge for a service related to
 1-43 motor fuel.

1-44 (7) "Motor fuel metering device" means a [~~commercial~~
 1-45 ~~weighing or~~] measuring device used for commercial motor fuel sales.

1-46 (8) "Operator" or "user" means a person in possession
 1-47 or control of a [~~weighing or~~] measuring device, including an owner,
 1-48 custodian, or seller.

1-49 (9-a) "Supplier" has the meaning assigned by Section
 1-50 162.001, Tax Code.

1-51 (9-b) "Wholesaler" means a person who purchases
 1-52 tax-paid motor fuel for resale or distribution at wholesale.

1-53 SECTION 2. Section 2310.002(c), Occupations Code, is
 1-54 amended to read as follows:

1-55 (c) The department may contract with one or more license
 1-56 holders under Subchapter D [~~of this chapter or Subchapter I,~~
 1-57 ~~Chapter 13, Agriculture Code,~~] to perform the department's duties
 1-58 under this chapter related to motor fuel metering devices. A
 1-59 reference in this chapter to the commission or department in the
 1-60 context of a contracted service means the contractor.

1-61 SECTION 3. Section 2310.031, Occupations Code, is amended

2-1 to read as follows:

2-2 Sec. 2310.031. DEFINITION [~~DEFINITIONS~~]. In this
2-3 subchapter, "board" [+

2-4 [~~(1) "Board"~~] means the Motor Fuel Metering and
2-5 Quality Advisory Board.

2-6 [~~(2) "Distributor," "supplier," and "wholesaler" have~~
2-7 ~~the meanings assigned by Section 2310.2001.~~]

2-8 SECTION 4. The heading to Subchapter B, Chapter 2310,
2-9 Occupations Code, is amended to read as follows:

2-10 SUBCHAPTER B. STANDARD [~~WEIGHTS AND~~] MEASURES FOR MOTOR FUEL

2-11 SECTION 5. Sections 2310.051(a), (c), and (d), Occupations
2-12 Code, are amended to read as follows:

2-13 (a) The legal standard for the [~~weight or~~] measure of a
2-14 motor fuel in this state is the standard [~~weight or~~] measure adopted
2-15 and used by the government of the United States for that motor fuel.
2-16 If the United States does not provide a standard [~~weight or~~] measure
2-17 for a motor fuel, the standard for the motor fuel is that
2-18 established by this subchapter.

2-19 (c) Except as otherwise provided by an express contract, a
2-20 contract for work or sales by [~~weight or~~] measure of a motor fuel
2-21 shall be construed in accordance with the standards of this
2-22 subchapter.

2-23 (d) The standards of this subchapter shall be the guide for
2-24 making any adjustment of [~~weighing or~~] measuring devices under the
2-25 law of this state.

2-26 SECTION 6. Section 2310.053, Occupations Code, is amended
2-27 by adding Subsection (c) to read as follows:

2-28 (c) Notwithstanding Section 2310.002, this chapter does not
2-29 apply to a weighing or measuring device, as defined by Section
2-30 13.001, Agriculture Code, that measures liquefied petroleum gas.

2-31 SECTION 7. Section 2310.054, Occupations Code, is amended
2-32 to read as follows:

2-33 Sec. 2310.054. SALE OF MOTOR FUEL BY PROPER MEASURE. (a)
2-34 Except as otherwise provided by this section, motor fuel shall be
2-35 sold by liquid measure.

2-36 (b) Compressed natural gas and liquefied natural gas shall
2-37 be sold by gallon equivalent [~~weight~~].

2-38 (c) A person violates this chapter if [~~, in violation of this~~
2-39 ~~section,~~] the person sells motor fuel in a manner [~~by~~] other than
2-40 the manner required by this section [~~weight or liquid measure~~].

2-41 SECTION 8. Section 2310.056, Occupations Code, is amended
2-42 to read as follows:

2-43 Sec. 2310.056. FALSE REPRESENTATION OF MOTOR FUEL QUANTITY.
2-44 A person violates this chapter if the person or the person's
2-45 representative or agent [+

2-46 [~~(1)~~] sells or offers or exposes for sale a quantity of
2-47 motor fuel that is less than the quantity the person represents [~~, or~~

2-48 [~~(2) as a buyer furnishing the weight or measure of a~~
2-49 ~~motor fuel by which the amount of the motor fuel is determined,~~
2-50 ~~takes or attempts to take more than the quantity the person~~
2-51 ~~represents].~~

2-52 SECTION 9. Section 2310.057, Occupations Code, is amended
2-53 to read as follows:

2-54 Sec. 2310.057. USE OF INCORRECT MOTOR FUEL METERING DEVICE.

2-55 (a) A person commits an offense if the person or the person's
2-56 representative or agent knowingly uses an incorrect [~~weighing or~~]
2-57 measuring device in:

2-58 (1) buying or selling motor fuel;

2-59 (2) computing a charge for services rendered based on
2-60 [~~the basis of weight or~~] measure; or

2-61 (3) determining the [~~weight or~~] measure of motor fuel,
2-62 if a charge is made for the determination.

2-63 (b) For the purpose of this section, a [~~weighing or~~]
2-64 measuring device is incorrect if it:

2-65 (1) does not conform as closely as practicable to the
2-66 official standards;

2-67 (2) is not accurate;

2-68 (3) is of a construction that is not reasonably
2-69 permanent in adjustment or does not correctly repeat its

3-1 indications;

3-2 (4) facilitates the perpetration of fraud; or

3-3 (5) does not conform to the specifications and
3-4 tolerances under Section 2310.107.

3-5 SECTION 10. Sections 2310.059(a) and (c), Occupations Code,
3-6 are amended to read as follows:

3-7 (a) The department shall from time to time ~~[weigh or]~~
3-8 measure an amount of motor fuel that is kept or offered for sale,
3-9 sold, or in the process of delivery, ~~[in order]~~ to determine:

3-10 (1) if the motor fuel is of the amount or quantity
3-11 represented; or

3-12 (2) if the motor fuel is being offered for sale or sold
3-13 in accordance with law.

3-14 (c) A person commits an offense if the person or the
3-15 person's employee or agent refuses to exhibit motor fuel being sold
3-16 or offered for sale at a given ~~[weight or]~~ quantity, or ordinarily
3-17 sold in that manner, to the department for testing and proving as to
3-18 quantity.

3-19 SECTION 11. The heading to Section 2310.060, Occupations
3-20 Code, is amended to read as follows:

3-21 Sec. 2310.060. STOP-SALE ORDER; APPEAL.

3-22 SECTION 12. Section 2310.060, Occupations Code, is amended
3-23 by amending Subsections (a) and (b) and adding Subsections (a-1),
3-24 (a-2), (b-1), and (b-2) to read as follows:

3-25 (a) If the department has reason to believe that motor fuel
3-26 is being sold or kept, offered, or exposed for sale in violation of
3-27 this chapter, including a rule adopted under this chapter, or that
3-28 motor fuel is being sold or offered for sale by or through the use of
3-29 a motor fuel metering device that is in violation of this chapter,
3-30 including a rule adopted under this chapter, the department
3-31 ~~[executive director]~~ may issue an order to stop the sale of the
3-32 motor fuel ~~[. The executive director shall issue the order]~~ to the
3-33 dealer or operator of the retail motor fuel facility selling ~~[owner~~
3-34 ~~or custodian of]~~ the motor fuel or offering the motor fuel for sale
3-35 [or seller of the motor fuel]. The dealer or operator [person]
3-36 receiving the order may not sell the motor fuel or offer the motor
3-37 fuel for sale until:

3-38 (1) ~~[discharged by a court under Subsection (b) or~~
3-39 ~~until]~~ the department [executive director] finds that the motor
3-40 fuel or motor fuel metering device is in compliance with this
3-41 chapter; or

3-42 (2) the dealer or operator prevails in an appeal of the
3-43 department's order under Subsection (b).

3-44 (a-1) In implementing this section, the department or an
3-45 authorized representative of the department shall:

3-46 (1) follow the procedures adopted by the department
3-47 for collecting, sampling, and handling motor fuel;

3-48 (2) obtain the approval of the executive director or
3-49 the executive director's designee before taking any action under
3-50 this section; and

3-51 (3) place a tag or other notice on each motor fuel
3-52 dispensing device subject to an order issued by the department
3-53 under this section.

3-54 (a-2) For purposes of this section, a person is an
3-55 authorized representative of the department if the person:

3-56 (1) holds a license under Subchapter D; and

3-57 (2) is acting on behalf of the department under this
3-58 section.

3-59 (b) A dealer or operator [The owner, custodian, or seller of
3-60 motor fuel] prohibited from selling motor fuel [sale] by an order of
3-61 the department issued under this section [executive director] is
3-62 entitled to appeal the order to the State Office of Administrative
3-63 Hearings [sue in a court where the motor fuel is found or is being
3-64 sold or offered for sale for a judgment as to the justification of
3-65 the order and for the discharge of the motor fuel in accordance with
3-66 the findings of the court].

3-67 (b-1) If a dealer or operator appeals an order issued by the
3-68 department under this section, the executive director shall set the
3-69 time and place for a hearing conducted by the State Office of

4-1 Administrative Hearings to affirm, modify, or set aside the order
 4-2 not later than the 10th day after the date the department receives
 4-3 notice of the appeal. The order shall be affirmed to the extent
 4-4 that reasonable cause existed to issue the order. A proceeding
 4-5 under this subsection is a contested case under Chapter 2001,
 4-6 Government Code.

4-7 (b-2) The commission shall adopt rules necessary to
 4-8 implement this section.

4-9 SECTION 13. Section 2310.061(b), Occupations Code, is
 4-10 amended to read as follows:

4-11 (b) It is a defense to prosecution or to the imposition of a
 4-12 civil or administrative penalty for a violation of Section 2310.057
 4-13 or 2310.059 that a discrepancy between the actual [~~weight or~~]
 4-14 volume at the time of sale to a consumer or a discrepancy between
 4-15 the fill of a container and the capacity of the container is due to
 4-16 unavoidable leakage, shrinkage, evaporation, waste, or causes
 4-17 beyond the control of the seller acting in good faith.

4-18 SECTION 14. Section 2310.101(a), Occupations Code, is
 4-19 amended to read as follows:

4-20 (a) If the department has reason to believe that a motor
 4-21 fuel metering device is being used for a commercial transaction and
 4-22 the device is not registered with the department or is being used to
 4-23 facilitate the perpetration of fraud, the department may inspect
 4-24 the device and the records [~~of the owner, operator, or user of the~~
 4-25 ~~device~~] that relate to use of the device to determine whether the
 4-26 device is in compliance with this chapter.

4-27 SECTION 15. Sections 2310.106(b), (c), and (f), Occupations
 4-28 Code, are amended to read as follows:

4-29 (b) The commission may adopt rules to regulate the frequency
 4-30 and place of inspection and correction of the standards for motor
 4-31 fuel used by an individual or business licensed by the department to
 4-32 perform device maintenance activities under Subchapter D [~~or an~~
 4-33 ~~individual or business licensed under Subchapter I, Chapter 13,~~
 4-34 ~~Agriculture Code~~].

4-35 (c) The department may inspect any standard for motor fuel
 4-36 used by an individual or business licensed by the department to
 4-37 perform device maintenance activities described by Subchapter D [~~or~~
 4-38 ~~an individual or business licensed under Subchapter I, Chapter 13,~~
 4-39 ~~Agriculture Code,~~] if the department has reason to believe a
 4-40 standard is no longer in compliance with this chapter.

4-41 (f) The state metrology laboratory, or a metrology
 4-42 laboratory certified by the National Institute of Standards and
 4-43 Technology and approved by the department, shall inspect and
 4-44 correct the standards for motor fuel used by the [~~a~~] department or
 4-45 [~~inspector, another department employee,~~] an individual or
 4-46 business licensed by the department to perform device maintenance
 4-47 activities under Subchapter D [~~, or an individual or business~~
 4-48 ~~licensed under Subchapter I, Chapter 13, Agriculture Code~~].

4-49 SECTION 16. Section 2310.110(b), Occupations Code, is
 4-50 amended to read as follows:

4-51 (b) A person commits an offense if the person or the
 4-52 person's representative or agent knowingly:

4-53 (1) offers or exposes for sale, hire, or award or sells
 4-54 an incorrect motor fuel metering device;

4-55 (2) possesses an incorrect motor fuel metering device;
 4-56 or

4-57 (3) sells, offers for sale, uses, or possesses for the
 4-58 purpose of sale or use a device or instrument to be used to falsify
 4-59 or intended to falsify a [~~weight or~~] measure for motor fuel.

4-60 SECTION 17. Section 2310.154(a), Occupations Code, is
 4-61 amended to read as follows:

4-62 (a) A person is not required to hold a license issued under
 4-63 this subchapter if the person:

4-64 (1) is a department employee who is performing device
 4-65 maintenance activities in the scope of the person's duties for the
 4-66 department;

4-67 (2) is the owner or operator of a motor fuel metering
 4-68 device or an employee of the owner or operator of a motor fuel
 4-69 metering device and the person:

5-1 (A) completely removes the motor fuel metering
 5-2 device from the location at which the device was installed,
 5-3 including a device subject to an out-of-order tag, stop-sale order,
 5-4 security seal, lock, condemnation notice, or other item placed on
 5-5 the device by the department to prohibit use of the device; and

5-6 (B) notifies the department of the motor fuel
 5-7 metering device's removal not later than the 10th day after the date
 5-8 the device was removed in the manner provided by commission rule; or

5-9 (3) performs device maintenance activities only on a
 5-10 motor fuel metering device that is:

5-11 (A) exempt from the inspection and registration
 5-12 requirements of Sections 2310.102 and 2310.103 under commission
 5-13 rules; and

5-14 (B) not required to be inspected by other
 5-15 commission rules[~~, or~~

5-16 [~~(4) is a license holder under Subchapter I, Chapter~~
 5-17 ~~13, Agriculture Code].~~

5-18 SECTION 18. Section 2310.2012(a), Occupations Code, is
 5-19 amended to read as follows:

5-20 (a) Except as provided by Subsection (b), a distributor,
 5-21 supplier, or wholesaler[~~, or jobber~~] of motor fuel may not deliver
 5-22 to an outlet in this state a motor fuel mixture that contains
 5-23 ethanol or methanol exceeding one percent by volume of the mixture
 5-24 unless, at the time of the delivery of the mixture, the person also
 5-25 delivers to the outlet receiving the delivery a manifest, bill of
 5-26 sale, bill of lading, or other document evidencing delivery of the
 5-27 mixture, that includes a statement containing:

5-28 (1) the percentage of ethanol or methanol contained in
 5-29 the mixture; and

5-30 (2) the types and percentages of any associated
 5-31 cosolvents contained in the mixture.

5-32 SECTION 19. Section 2310.2013, Occupations Code, is amended
 5-33 by amending Subsections (b), (c), and (d) and adding Subsection
 5-34 (c-1) to read as follows:

5-35 (b) Each distributor, supplier, and wholesaler[~~, and~~
 5-36 ~~jobber~~] of motor fuel shall keep a copy of each document required to
 5-37 be delivered to the dealer by Section 2310.2012 until the fourth
 5-38 anniversary of the delivery date.

5-39 (c) The department or an authorized representative of the
 5-40 department may inspect documents described by this section. On
 5-41 written notice issued by the department or an authorized
 5-42 representative of the department to any employee at a dealer's
 5-43 [~~station or~~] retail motor fuel facility [~~outlet~~] or mailed to the
 5-44 principal place of business of a dealer, distributor, supplier, or
 5-45 wholesaler, [~~or jobber~~], the dealer, distributor, supplier, or
 5-46 wholesaler[~~, or jobber~~] shall provide the department or authorized
 5-47 representative of the department with the documents described by
 5-48 this section within the period specified in the notice.

5-49 (c-1) For purposes of this section, a person is an
 5-50 authorized representative of the department if the person:

5-51 (1) holds a license issued under Subchapter D; and

5-52 (2) is conducting an inspection on behalf of the
 5-53 department under this section.

5-54 (d) The commission by rule may:

5-55 (1) require each dealer, distributor, supplier, and
 5-56 wholesaler[~~, and jobber~~] to maintain and make available to the
 5-57 department:

5-58 (A) invoices, receipts, or other transmittal
 5-59 documents or records, including electronically stored information,
 5-60 showing or describing the purchase, sale, delivery, or distribution
 5-61 of motor fuel;

5-62 (B) invoices, receipts, work orders, reports, or
 5-63 other documents, including electronically stored information,
 5-64 showing or describing the installation, maintenance, or repair of:

5-65 (i) motor fuel dispensing devices; and

5-66 (ii) any equipment used in connection with
 5-67 motor fuel dispensing devices to record, display, or produce
 5-68 receipts or audit trails concerning the purchase, sale, delivery,
 5-69 or distribution of motor fuel; and

6-1 (C) any record or other document related to the
 6-2 sampling and testing of motor fuel purchased, sold, delivered, or
 6-3 distributed by the dealer, distributor, supplier, or wholesaler~~[-~~
 6-4 ~~or jobber]~~; and

6-5 (2) prescribe:

6-6 (A) the manner of filing documents or records
 6-7 required to be kept under this section or by commission rule; and

6-8 (B) the time, place, and manner of inspection of
 6-9 the documents or records.

6-10 SECTION 20. Section 2310.2014, Occupations Code, is amended
 6-11 by amending Subsections (b) and (c) and adding Subsection (c-1) to
 6-12 read as follows:

6-13 (b) Each distributor, ~~[or]~~ supplier, or wholesaler shall
 6-14 keep for at least one year at the distributor's, ~~[or]~~ supplier's, or
 6-15 wholesaler's principal place of business a copy of each delivery
 6-16 ticket or letter of certification required to be delivered by the
 6-17 distributor, ~~[or]~~ supplier, or wholesaler to a dealer in this state
 6-18 under 16 C.F.R. Part 306.

6-19 (c) The department or an authorized representative of the
 6-20 department may inspect a document required to be kept under this
 6-21 section. On written notice issued by the department or an
 6-22 authorized representative of the department to any employee at a
 6-23 dealer's ~~[station or]~~ retail motor fuel facility ~~[outlet]~~ or mailed
 6-24 to the dealer's principal place of business, the dealer shall
 6-25 provide the department or authorized representative of the
 6-26 department with the documents described by this section within the
 6-27 period specified in the notice.

6-28 (c-1) For purposes of this section, a person is an
 6-29 authorized representative of the department if the person:

6-30 (1) holds a license issued under Subchapter D; and

6-31 (2) is conducting an inspection on behalf of the
 6-32 department under this section.

6-33 SECTION 21. Section 2310.2015(b), Occupations Code, is
 6-34 amended to read as follows:

6-35 (b) A distributor, ~~[or]~~ supplier, or wholesaler of motor
 6-36 fuel may not deliver or transfer to a dealer in this state motor
 6-37 fuel that has an automotive fuel rating lower than the
 6-38 certification of the rating the distributor, ~~[or]~~ supplier, or
 6-39 wholesaler is required to make to the dealer under federal law.

6-40 SECTION 22. Section 2310.203, Occupations Code, is amended
 6-41 by amending Subsections (a), (c), and (d) and adding Subsections
 6-42 (a-1) and (c-1) to read as follows:

6-43 (a) The department or an authorized ~~[a]~~ representative of
 6-44 the department may collect samples and conduct testing at any
 6-45 location where motor fuel is kept, transferred, sold, or offered
 6-46 for sale to verify that the motor fuel complies with the minimum
 6-47 standards required by Section 2310.202.

6-48 (a-1) For purposes of this section, a person is an
 6-49 authorized representative of the department if the person:

6-50 (1) holds a license issued under Subchapter D; and

6-51 (2) is conducting testing on behalf of the department
 6-52 under this section.

6-53 (c) On arriving at a facility to conduct testing under
 6-54 Subsection (a), the department or an authorized ~~[a]~~ representative
 6-55 of the department shall notify an employee ~~[the owner or manager]~~ of
 6-56 the facility of the department's or representative's presence and
 6-57 purpose. ~~[The department representative shall follow the most~~
 6-58 ~~recent applicable procedures specified by the American Society for~~
 6-59 ~~Testing and Materials (ASTM) International Standard D4057, D4177,~~
 6-60 ~~D5842, or D5854 for the collection, sampling, and handling of fuel~~
 6-61 ~~to prepare for laboratory analysis.]~~

6-62 (c-1) The commission shall adopt rules regulating the
 6-63 methods and procedures applicable to motor fuel testing under this
 6-64 section.

6-65 (d) A person commits an offense if the person refuses to
 6-66 allow the ~~[a]~~ department or an authorized representative of the
 6-67 department to collect samples or conduct motor fuel testing under
 6-68 Subsection (a).

6-69 SECTION 23. Sections 2310.207(a) and (b), Occupations Code,

7-1 are amended to read as follows:

7-2 (a) If a dealer or a distributor, supplier, or wholesaler[~~7~~
7-3 ~~or jobber~~] of motor fuel violates Section 2310.201, 2310.2012,
7-4 2310.2013, 2310.2014, or 2310.2015, a person [~~motor fuel user~~] who
7-5 purchased the motor fuel and sustained damages or who has a
7-6 complaint about the product may bring an action against the dealer,
7-7 distributor, supplier, or wholesaler[~~7~~, ~~or jobber~~].

7-8 (b) The action may be brought, without regard to the
7-9 specific amount of damages, in the district court in any county in
7-10 which:

7-11 (1) the dealer, distributor, supplier, or
7-12 wholesaler[~~7~~, ~~or jobber~~] transacts business; or
7-13 (2) the dealer resides.

7-14 SECTION 24. Section 2310.208, Occupations Code, is amended
7-15 to read as follows:

7-16 Sec. 2310.208. CIVIL PENALTY. A dealer, distributor,
7-17 supplier, or wholesaler[~~7~~, ~~or jobber~~] who violates Section 2310.201,
7-18 2310.2012, 2310.2013, 2310.2014, or 2310.2015 is liable to this
7-19 state for a civil penalty of not less than \$200 and not more than
7-20 \$10,000.

7-21 SECTION 25. The following provisions of the Occupations
7-22 Code are repealed:

- 7-23 (1) Sections 2310.001(a)(10), (a)(11), and (b);
- 7-24 (2) Section 2310.036;
- 7-25 (3) Section 2310.101(b);
- 7-26 (4) Sections 2310.106(e) and (g);
- 7-27 (5) Section 2310.2001;
- 7-28 (6) Section 2310.203(b); and
- 7-29 (7) Section 2310.204(d).

7-30 SECTION 26. (a) The changes in law made by this Act to
7-31 Chapter 2310, Occupations Code, do not affect the validity of a
7-32 proceeding pending before a court or other governmental entity on
7-33 the effective date of this Act.

7-34 (b) An offense or other violation committed before the
7-35 effective date of this Act is governed by the law in effect on the
7-36 date the offense or violation was committed, and the former law is
7-37 continued in effect for that purpose. For purposes of this section,
7-38 an offense or violation was committed before the effective date of
7-39 this Act if any element of the offense or violation was committed
7-40 before that date.

7-41 SECTION 27. This Act takes effect September 1, 2023.

7-42 * * * * *