

By: Krusee

H.B. No. 1050

Substitute the following for H.B. No. 1050:

By: Phillips

C.S.H.B. No. 1050

A BILL TO BE ENTITLED

AN ACT

relating to the sale of certain used trucks.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 2301.476, Occupations Code, is amended by adding Subsection (j) to read as follows:

(j) This chapter does not prohibit a manufacturer or distributor that owned, on or before January 1, 2005, an interest in a licensed independent dealer or dealership engaged in the sale of used motor vehicles from continuing to directly or indirectly own an interest in the dealer or dealership if the manufacturer's or distributor's ownership and control of the dealer or dealership does not increase after that date. The exemption provided by this subsection:

(1) applies regardless of whether there has been a transfer or relocation of the independent dealer or dealership;

(2) applies only if the dealer or dealership is engaged in the business of selling used trucks that have a gross vehicle weight rating of 11,000 pounds or more; and

(3) does not apply if the dealer or dealership sells new motor vehicles.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2005.