

BILL ANALYSIS

Senate Research Center

H.B. 2471
By: Homer, Aycock (Deuell)
Business & Commerce
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The bedding statute in the Texas Health and Safety Code was created in 1939. Since then a number of revisions have been made, including the definition of bedding. At times, the Texas Department of State Health Services has treated furniture on the retail sales floor as secondhand bedding. The bedding statute defines secondhand bedding as having any previous use and is required to be germicidally cleaned before being sold.

H.B. 2471 clarifies that salesroom floor items used only for display purposes are new bedding, not secondhand bedding.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 345.001, Health and Safety Code, by amending Subdivisions (5) and (9) and adding Subdivision (2-a), to define "floor model" and redefine "new" and "secondhand."

SECTION 2. Amends Subchapter A, Chapter 345, Health and Safety Code, by adding Section 345.0065, as follows:

Sec. 345.0065. APPLICABILITY OF CHAPTER TO FLOOR MODEL. Provides that bedding that has not been used for a purpose other than as a floor model is regulated as new bedding. Prohibits a floor model from being regulated as secondhand bedding under this chapter in any manner.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2007.