

By: Berman

H.B. No. 32

A BILL TO BE ENTITLED

AN ACT

relating to the penalty for discarding lighted smoking materials from a motor vehicle.

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

SECTION 1. Section 365.012(f), Health and Safety Code, is amended to read as follows:

(f) An offense under this section is a Class A misdemeanor if:

(1) the litter or other solid waste to which the offense applies weighs 500 pounds or more but less than 1,000 pounds or has a volume of 100 cubic feet or more but less than 200 cubic feet; ~~or~~

(2) the litter or other solid waste is disposed for a commercial purpose and weighs more than five pounds but less than 200 pounds or has a volume of more than five gallons but less than 200 cubic feet; or

(3) the litter or other solid waste to which the offense applies is a lighted match, a lighted cigarette or cigar, or other lighted smoking material discarded from a motor vehicle.

SECTION 2. (a) Section 365.012(f), Health and Safety Code, as amended by this Act, applies only to an offense committed on or after September 1, 2007. For purposes of this section, an offense is committed before September 1, 2007, if any element of the offense occurs before that date.

1 (b) An offense committed before September 1, 2007, is
2 covered by the law in effect when the offense was committed, and the
3 former law is continued in effect for that purpose.

4 SECTION 3. This Act takes effect September 1, 2007.