

AN ACT

relating to the treatment and sale of certain bedding.

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

SECTION 1. Section 345.001, Health and Safety Code, is amended by amending Subdivisions (5) and (9) and adding Subdivision (2-a) to read as follows:

(2-a) "Floor model" means new bedding placed in a retail sales area for display purposes.

(5) "New" means no previous use for any purpose other than previous use as a floor model.

(9) "Secondhand" means previous use in any manner other than previous use as a floor model.

SECTION 2. Subchapter A, Chapter 345, Health and Safety Code, is amended by adding Section 345.0065 to read as follows:

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

SECTION 3. (a) The change in law made by this Act applies only to the sale of secondhand bedding on or after the effective date of this Act.

(b) Secondhand bedding sold before the effective date of this Act is governed by the law in effect when the secondhand bedding was sold, and the former law is continued in effect for that

1 purpose.

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

President of the Senate

Speaker of the House

I certify that H.B. No. 2471 was passed by the House on May 4, 2007, by the following vote: Yeas 143, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2471 was passed by the Senate on May 21, 2007, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

APPROVED: _____

Date

Governor