

1-1 By: Homer, Aycock (Senate Sponsor - Deuell) H.B. No. 2471  
1-2 (In the Senate - Received from the House May 7, 2007;  
1-3 May 8, 2007, read first time and referred to Committee on Business  
1-4 and Commerce; May 16, 2007, reported favorably by the following  
1-5 vote: Yeas 9, Nays 0; May 16, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the treatment and sale of certain bedding.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Section 345.001, Health and Safety Code, is  
1-11 amended by amending Subdivisions (5) and (9) and adding Subdivision  
1-12 (2-a) to read as follows:

1-13 (2-a) "Floor model" means new bedding placed in a  
1-14 retail sales area for display purposes.

1-15 (5) "New" means no previous use for any purpose other  
1-16 than previous use as a floor model.

1-17 (9) "Secondhand" means previous use in any manner  
1-18 other than previous use as a floor model.

1-19 SECTION 2. Subchapter A, Chapter 345, Health and Safety  
1-20 Code, is amended by adding Section 345.0065 to read as follows:

1-21 Sec. 345.0065. APPLICABILITY OF CHAPTER TO FLOOR MODEL.  
1-22 Bedding that has not been used for a purpose other than as a floor  
1-23 model is regulated as new bedding. A floor model may not be  
1-24 regulated as secondhand bedding under this chapter in any manner.

1-25 SECTION 3. (a) The change in law made by this Act applies  
1-26 only to the sale of secondhand bedding on or after the effective  
1-27 date of this Act.

1-28 (b) Secondhand bedding sold before the effective date of  
1-29 this Act is governed by the law in effect when the secondhand  
1-30 bedding was sold, and the former law is continued in effect for that  
1-31 purpose.

1-32 SECTION 4. This Act takes effect September 1, 2007.

1-33 \* \* \* \* \*