

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Otto

H.B. No. 2559

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the authority of a dealer to conduct certain motor  
3 vehicle sales outside of a dealership.

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

5 SECTION 1. Subchapter H, Chapter 2301, Occupations Code, is  
6 amended by adding Section 2301.361 to read as follows:

7 Sec. 2301.361. OFFSITE SALES. (a) Except as provided by  
8 other law, including Subsection (b), a dealer may only sell or offer  
9 to sell a motor vehicle from an established and permanent place of  
10 business:

11 (1) that is approved by the division; and

12 (2) for which a general distinguishing number has been  
13 issued.

14 (b) A dealer may sell or offer to sell a motor vehicle online  
15 through an advertisement on the Internet to a buyer who never  
16 personally appears at the dealer's established and permanent place  
17 of business.

18 SECTION 2. This Act takes effect immediately if it receives  
19 a vote of two-thirds of all the members elected to each house, as  
20 provided by Section 39, Article III, Texas Constitution. If this  
21 Act does not receive the vote necessary for immediate effect, this  
22 Act takes effect September 1, 2007.

# ADOPTED

MAY 15 2007

*Lotay Spaw*  
Secretary of the Senate

By: Otto/Wentworth

H.B. No. 2559

Substitute the following for H.B. No. 2559:

By: Wentworth

C.S. H.B. No. 2559

## A BILL TO BE ENTITLED

### AN ACT

1  
2 relating to the authority of a dealer to conduct certain motor  
3 vehicle sales outside of a dealership.

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

5 SECTION 1. Subchapter H, Chapter 2301, Occupations Code, is  
6 amended by adding Section 2301.361 to read as follows:

7 Sec. 2301.361. OFFSITE SALES. (a) Except as provided by  
8 Subsection (b) and Sections 2301.358(c) and (d), a dealer may only  
9 sell or offer to sell a motor vehicle from an established and  
10 permanent place of business:

11 (1) that is approved by the division; and

12 (2) for which a general distinguishing number has been  
13 issued.

14 (b) A dealer may sell or offer to sell a motor vehicle online  
15 through an advertisement on the Internet to a buyer who never  
16 personally appears at the dealer's established and permanent place  
17 of business.

18 SECTION 2. This Act takes effect immediately if it receives  
19 a vote of two-thirds of all the members elected to each house, as  
20 provided by Section 39, Article III, Texas Constitution. If this  
21 Act does not receive the vote necessary for immediate effect, this  
22 Act takes effect September 1, 2007.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**May 7, 2007**

**TO:** Honorable John Carona, Chair, Senate Committee on Transportation & Homeland Security

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE:** **HB2559** by Otto (Relating to the authority of a dealer to conduct certain motor vehicle sales outside of a dealership.), **Committee Report 2nd House, Substituted**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 601 Department of Transportation

**LBB Staff:** JOB, KJG, TG

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**May 4, 2007**

**TO:** Honorable John Carona, Chair, Senate Committee on Transportation & Homeland Security

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE:** **HB2559** by Otto (Relating to the authority of a dealer to conduct certain motor vehicle sales outside of a dealership.), **As Engrossed**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 601 Department of Transportation

**LBB Staff:** JOB, KJG, TG

**LEGISLATIVE BUDGET BOARD**  
Austin, Texas

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

April 11, 2007

**TO:** Honorable Mike Krusee, Chair, House Committee on Transportation

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE:** **HB2559** by Otto (Relating to the authority of a dealer to conduct certain motor vehicle sales outside of a dealership.), **Committee Report 1st House, Substituted**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 601 Department of Transportation

**LBB Staff:** JOB, KJG, TG

**LEGISLATIVE BUDGET BOARD**  
Austin, Texas

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**April 7, 2007**

**TO:** Honorable Mike Krusee, Chair, House Committee on Transportation

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE:** **HB2559** by Otto (Relating to the authority of a dealer to conduct certain motor vehicle sales outside of a dealership.), **As Introduced**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 601 Department of Transportation

**LBB Staff:** JOB, KJG, TG