

By: Gallegos

S.B. No. 1992

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the regulation of automotive wrecking and salvage yards
3 in certain counties; providing a civil penalty.

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

5 SECTION 1. Chapter 397, Transportation Code, is amended by
6 adding Section 397.0125 to read as follows:

7 Sec. 397.0125. CIVIL PENALTY. (a) In addition to the
8 penalty provided by Section 397.012, a person who operates an
9 automotive wrecking and salvage yard in violation of this chapter
10 is liable for a civil penalty of not less than \$500 or more than
11 \$1,000 for each violation. A separate penalty may be imposed for
12 each day a continuing violation occurs.

13 (b) The district or county attorney for the county, or the
14 municipal attorney of the municipality, in which the violation is
15 alleged to have occurred may bring suit to collect the penalty.

16 (c) A penalty collected under this section by a district or
17 county attorney shall be deposited in the county treasury. A
18 penalty collected under this section by a municipal attorney shall
19 be deposited in the municipal treasury.

20 SECTION 2. Subsection (a), Section 397.014, Transportation
21 Code, is amended to read as follows:

22 (a) A person, county, or municipality is entitled to an
23 injunction to prohibit a violation or threatened violation of this
24 chapter.

1 SECTION 3. The change in law made by this Act applies only
2 to a violation of Chapter 397, Transportation Code, that occurs on
3 or after the effective date of this Act. A violation of that
4 chapter that occurred before the effective date of this Act is
5 governed by the law in effect when the violation occurred, and the
6 former law is continued in effect for that purpose.

7 SECTION 4. This Act takes effect September 1, 2009.