

By: Cook

H.B. No. 94

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the applicability of regulations on the purchase of
3 ammonium nitrate or ammonium nitrate material by certain
4 purchasers.

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

6 SECTION 1. Section 63.154, Agriculture Code, is amended by
7 amending Subsection (a) and adding Subsection (a-1) to read as
8 follows:

9 (a) Except as provided by Subsection (a-1), before ~~Before~~
10 completing a sale of ammonium nitrate or ammonium nitrate material,
11 a person that engages in those sales shall:

12 (1) require the person making the purchase to:

13 (A) display a driver's license or other form of
14 identification containing the person's photograph;

15 (B) provide the other personal information
16 required by Subdivision (2); and

17 (C) sign for the purchase; and

18 (2) make a record of the sale, including:

19 (A) the name of the person making the purchase;

20 (B) the date of the purchase;

21 (C) the purchaser's address, date of birth, and
22 phone number;

23 (D) the form of identification the purchaser
24 presented;

1 (E) whether the purchase is being made on behalf
2 of another person; and

3 (F) the amount and brand name of the ammonium
4 nitrate or ammonium nitrate material purchased.

5 (a-1) Subsection (a) does not apply to a purchaser of
6 ammonium nitrate or ammonium nitrate material if:

7 (1) the purchaser does not take possession of the
8 ammonium nitrate or ammonium nitrate material at any time before it
9 is distributed for use as fertilizer; and

10 (2) the person who sells the ammonium nitrate or
11 ammonium nitrate material complies with the requirements of
12 Subsection (a) with respect to the person who takes possession of
13 the ammonium nitrate or ammonium nitrate material.

14 SECTION 2. Section 63.154, Agriculture Code, as amended by
15 this Act, applies only to a sale of ammonium nitrate or ammonium
16 nitrate material that is initiated on or after the effective date of
17 this Act. A sale of ammonium nitrate or ammonium nitrate material
18 initiated before the effective date of this Act is covered by the
19 law in effect when the purchase was initiated, and the former law is
20 continued in effect for that purpose.

21 SECTION 3. This Act takes effect September 1, 2011.