

**BILL ANALYSIS**

C.S.H.B. 3085  
By: Walle  
Licensing & Administrative Procedures  
Committee Report (Substituted)

**BACKGROUND AND PURPOSE**

Interested parties contend that a number of automotive wrecking and salvage yards in populous counties are in violation of statutes regarding the regulation of automotive wreckage and salvage yards. C.S.H.B. 3085 seeks to deter future violators by increasing the maximum civil penalty for such violations.

**RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

**ANALYSIS**

C.S.H.B. 3085 amends the Transportation Code to increase from \$1,000 to \$5,000 the maximum civil penalty for each violation of operating an automobile wrecking and salvage yard in violation of statutory provisions regulating such operation in a county with a population of 3.3 million or more, that is not located within a municipality in that county, and is established on or after September 1, 1983.

**EFFECTIVE DATE**

September 1, 2013.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 3085 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 397.0125(a), Transportation Code, is amended to read as follows:

(a) In addition to the penalty provided by Section 397.012, a person who operates an automotive wrecking and salvage yard in violation of this chapter is liable for a civil penalty of not less than \$500 or more than **\$2,000** [~~\$1,000~~] for each violation. A separate penalty may be imposed for each day a continuing violation occurs.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 397.0125(a), Transportation Code, is amended to read as follows:

(a) In addition to the penalty provided by Section 397.012, a person who operates an automotive wrecking and salvage yard in violation of this chapter is liable for a civil penalty of not less than \$500 or more than **\$5,000** [~~\$1,000~~] for each violation. A separate penalty may be imposed for each day a continuing violation occurs.

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

SECTION 3. This Act takes effect September 1, 2013.

SECTION 2. Same as introduced version.

SECTION 3. Same as introduced version.