

1-1 By: Walle (Senate Sponsor - Ellis) H.B. No. 248  
 1-2 (In the Senate - Received from the House April 15, 2013;  
 1-3 April 18, 2013, read first time and referred to Committee on  
 1-4 Transportation; May 9, 2013, reported adversely, with favorable  
 1-5 Committee Substitute by the following vote: Yeas 8, Nays 0;  
 1-6 May 9, 2013, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15			X	
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 248 By: Ellis

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to the regulation of automotive wrecking and salvage yards  
 1-22 in certain counties.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 397.011, Transportation Code, is amended  
 1-25 to read as follows:

1-26 Sec. 397.011. LOCATION OF YARD. (a) Except as otherwise  
 1-27 provided by this subsection and Subsection (b), an automotive  
 1-28 wrecking and salvage yard may not be established within 600 [300]  
 1-29 feet of an existing church, school, or residence. A yard may be  
 1-30 established within 600 feet of a residence if the same person owns  
 1-31 the residence and the yard.

1-32 (b) An automotive wrecking and salvage yard that is  
 1-33 established on or after September 1, 1983, and before September 1,  
 1-34 2013, may not be established within 300 feet of an existing church,  
 1-35 school, or residence except that a yard may be established within  
 1-36 300 feet of a residence if the same person owns the residence and  
 1-37 the yard.

1-38 (c) Distance [The distance] is measured under this section  
 1-39 beginning at the wall of the church, school, or residence that is  
 1-40 closest to the yard and ending at the fence required by this  
 1-41 chapter.

1-42 [~~(b) An automotive wrecking and salvage yard may be~~  
 1-43 ~~established within 300 feet of a residence if the same person owns~~  
 1-44 ~~the residence and the yard.]~~

1-45 SECTION 2. The change in law made by this Act applies only  
 1-46 to an offense committed on or after the effective date of this Act.  
 1-47 An offense committed before the effective date of this Act is  
 1-48 governed by the law in effect when the offense was committed, and  
 1-49 the former law is continued in effect for that purpose. For  
 1-50 purposes of this section, an offense was committed before the  
 1-51 effective date of this Act if any element of the offense was  
 1-52 committed before that date.

1-53 SECTION 3. This Act takes effect September 1, 2013.

1-54 \* \* \* \* \*