

By: Creighton

H.B. No. 3204

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the regulation of motor vehicle dealers, manufacturers,  
3 and distributors.

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

5 SECTION 1. Section 2301.652, Occupations Code, is amended  
6 by adding Subsection (d) to read as follows:

7 (d) For purposes of Subsection (b), a protesting dealer is  
8 presumed to be in substantial compliance with the dealer's  
9 franchise if the dealer is not the subject of a pending enforcement  
10 proceeding by the board or department. The presumption created by  
11 this subsection is rebuttable.

12 SECTION 2. Section 2301.702, Occupations Code, is amended  
13 to read as follows:

14 Sec. 2301.702. CONFLICT WITH OTHER LAW; RULES GOVERNING  
15 HEARINGS. (a) To the extent of a conflict between this chapter and  
16 Chapter 2001, Government Code, this chapter controls.

17 (b) A board rule relating to the procedures for a hearing on  
18 or the resolution of a dispute arising under this chapter applies to  
19 the person conducting the hearing or dispute resolution proceeding,  
20 regardless of whether that person is the board, the department, or  
21 another person.

22 SECTION 3. The changes in law made by this Act apply to a  
23 license issued under Chapter 2301, Occupations Code, regardless of  
24 the date the license is issued or renewed.

1 SECTION 4. This Act takes effect September 1, 2013.