

SENATE AMENDMENTS

2nd Printing

By: Walle

H.B. No. 248

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the regulation of automotive wrecking and salvage yards
3 in certain counties.

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

5 SECTION 1. Section 397.011, Transportation Code, is amended
6 to read as follows:

7 Sec. 397.011. LOCATION OF YARD. (a) Except as provided by
8 Subsection (b), an automotive wrecking and salvage yard may not be
9 established within 600 [~~300~~] feet of an existing church, school, or
10 residence. The distance is measured beginning at the wall of the
11 church, school, or residence that is closest to the yard and ending
12 at the fence required by this chapter.

13 (b) An automotive wrecking and salvage yard may be
14 established within 600 [~~300~~] feet of a residence if the same person
15 owns the residence and the yard.

16 SECTION 2. The change in law made by this Act applies only
17 to an offense committed on or after the effective date of this Act.
18 An offense committed before the effective date of this Act is
19 governed by the law in effect when the offense was committed, and
20 the former law is continued in effect for that purpose. For
21 purposes of this section, an offense was committed before the
22 effective date of this Act if any element of the offense was
23 committed before that date.

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

ADOPTED

MAY 15 2013

Hayes
Clerk of the Senate

By: Walter Ellis

H.B. No. 248

Substitute the following for H.B. No. 248 :

By: Rodney Ellis

C.S.H.B. No. 248

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2 relating to the regulation of automotive wrecking and salvage yards
3 in certain counties.

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

5 SECTION 1. Section 397.011, Transportation Code, is amended
6 to read as follows:

7 Sec. 397.011. LOCATION OF YARD. (a) Except as otherwise
8 provided by this subsection and Subsection (b), an automotive
9 wrecking and salvage yard may not be established within 600 [300]
10 feet of an existing church, school, or residence. A yard may be
11 established within 600 feet of a residence if the same person owns
12 the residence and the yard.

13 (b) An automotive wrecking and salvage yard that is
14 established on or after September 1, 1983, and before September 1,
15 2013, may not be established within 300 feet of an existing church,
16 school, or residence except that a yard may be established within
17 300 feet of a residence if the same person owns the residence and
18 the yard.

19 (c) Distance [The distance] is measured under this section
20 beginning at the wall of the church, school, or residence that is
21 closest to the yard and ending at the fence required by this
22 chapter.

23 ~~[(b) An automotive wrecking and salvage yard may be~~
24 ~~established within 300 feet of a residence if the same person owns~~

1 ~~the residence and the yard.]~~

2 SECTION 2. The change in law made by this Act applies only
3 to an offense committed on or after the effective date of this Act.
4 An offense committed before the effective date of this Act is
5 governed by the law in effect when the offense was committed, and
6 the former law is continued in effect for that purpose. For
7 purposes of this section, an offense was committed before the
8 effective date of this Act if any element of the offense was
9 committed before that date.

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

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 15, 2013

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB248 by Walle (Relating to the regulation of automotive wrecking and salvage yards in certain counties.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: UP, SD, AG, TP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 9, 2013

TO: Honorable Robert Nichols, Chair, Senate Committee on Transportation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB248 by Walle (Relating to the regulation of automotive wrecking and salvage yards in certain counties.), **Committee Report 2nd House, Substituted**

<p>No fiscal implication to the State is anticipated.</p>
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Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: UP, AG, TP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 19, 2013

TO: Honorable Robert Nichols, Chair, Senate Committee on Transportation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB248 by Walle (Relating to the regulation of automotive wrecking and salvage yards in certain counties.), **As Engrossed**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: UP, AG, TP

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

February 15, 2013

TO: Honorable Larry Phillips, Chair, House Committee on Transportation

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB248 by Walle (Relating to the regulation of automotive wrecking and salvage yards in certain counties.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: UP, AG, TP