

House Bill 38
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 547.614, Transportation Code, is amended by amending Subsections (a-2) and (b) and adding Subsection (e) to read as follows:

(a-2) A person commits an offense if the person:

(1) knowingly or recklessly makes or sells a counterfeit airbag to be installed in a motor vehicle;

(2) intentionally alters an airbag that is not counterfeit in a manner that causes the airbag to not meet all applicable federal safety regulations for an airbag designed to be installed in a vehicle of a particular make, model, and year;

(3) represents to another person that a counterfeit airbag installed in a motor vehicle is not counterfeit; ~~or~~

(4) knowingly or recklessly sells a motor vehicle in which an airbag is not installed without clearly disclosing that the vehicle does not have an airbag; or

~~(5)~~ causes another person to violate Subsection (a-1) or Subdivision (1), (2), ~~or (3), or (4)~~ or assists a person in violating Subsection (a-1) or Subdivision (1), (2), ~~or (3), or (4)~~.

(b) Except as provided by Subsections (c), ~~and (d), and (e)~~, an offense under this section is a state jail felony ~~[Class A misdemeanor]~~.

(e) An offense under this section is a felony of the first degree if it is shown on the trial of the offense that the offense resulted in the death of a person.

SECTION 2. The change in law made by this Act applies only to an offense committed on or after the effective date of

SENATE VERSION (CS)

SECTION 1. Section 547.614, Transportation Code, is amended by amending Subsection (b) and adding Subsection (e) to read as follows:

No equivalent provision.

(b) Except as provided by Subsections (c), ~~and (d), and (e)~~, an offense under this section is a state jail felony ~~[Class A misdemeanor]~~.

(e) An offense under this section is a felony of the first degree if it is shown on the trial of the offense that the offense resulted in the death of a person.

SECTION 2. Same as House version.

CONFERENCE

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this Act. An offense committed before the effective date of this Act is covered by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

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

SENATE VERSION (CS)

SECTION 3. Same as House version.

CONFERENCE