

House Bill 248
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

Sec. 397.011. LOCATION OF YARD. (a) Except as provided by Subsection (b), an automotive wrecking and salvage yard may not be established within 600 [300] feet of an existing church, school, or residence.

The distance is measured beginning at the wall of the church, school, or residence that is closest to the yard and ending at the fence required by this chapter.

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

SECTION 2. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect when 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 was committed before that date.

SENATE VERSION (CS)

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

Sec. 397.011. LOCATION OF YARD. (a) Except as otherwise provided by this subsection and Subsection (b), an automotive wrecking and salvage yard may not be established within 600 [300] feet of an existing church, school, or residence. A yard may be established within 600 feet of a

residence if the same person owns the residence and the yard.

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

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

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

SECTION 2. Same as House version.

CONFERENCE

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HOUSE VERSION

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

SENATE VERSION (CS)

SECTION 3. Same as House version.

CONFERENCE