

**House Bill 338**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 2308.453, Occupations Code, is amended to read as follows:

Sec. 2308.453. JURISDICTION. (a) For towed vehicles, a [A] hearing under this chapter shall be in any [the] justice court having jurisdiction in:

[~~(1)~~] the county [~~precinct~~] from which the motor vehicle was towed.

(b) For [~~or~~]

[~~(2)~~ for] booted vehicles, a hearing under this chapter shall be in the justice court having jurisdiction in the precinct in which the parking facility is located.

SECTION 2. Section 2308.455, Occupations Code, is amended to read as follows:

Sec. 2308.455. CONTENTS OF NOTICE. The notice under Section 2308.454 must include:

(1) a statement of:

(A) the person's right to submit a request within 14 days for a court hearing to determine whether probable cause existed to remove, or install a boot on, the vehicle;

(B) the information that a request for a hearing must contain; [~~and~~]

(C) any filing fee for the hearing; and

(D) the person's right to request a hearing in any justice court having jurisdiction in the county from which the vehicle was towed;

(2) the name, address, and telephone number of the towing company that removed the vehicle or the booting company that booted the vehicle;

SENATE VERSION (CS)

SECTION 1. Section 2308.453, Occupations Code, is amended to read as follows:

Sec. 2308.453. JURISDICTION. A hearing under this chapter shall be in any [the] justice court [having jurisdiction] in:

(1) the county [~~precinct~~] from which the motor vehicle was towed; or

(2) for booted vehicles, the county [~~precinct~~] in which the parking facility is located.

SECTION 2. Section 2308.455, Occupations Code, is amended to read as follows:

Sec. 2308.455. CONTENTS OF NOTICE. The notice under Section 2308.454 must include:

(1) a statement of:

(A) the person's right to submit a request within 14 days for a court hearing to determine whether probable cause existed to remove, or install a boot on, the vehicle;

(B) the information that a request for a hearing must contain; [~~and~~]

(C) any filing fee for the hearing; and

(D) the person's right to request a hearing in any justice court in:

(i) the county from which the vehicle was towed; or

(ii) for booted vehicles, the county in which the parking facility is located;

(2) the name, address, and telephone number of the towing company that removed the vehicle or the booting company that booted the vehicle;

CONFERENCE

**House Bill 338**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

(3) the name, address, ~~and~~ telephone number, and county of the vehicle storage facility in which the vehicle was placed;

(4) the name, street address including city, state, and zip code, and telephone number of the person, parking facility owner, or law enforcement agency that authorized the removal of the vehicle; and

(5) the name, address, and telephone number of each [the] justice court having jurisdiction in the county from [precinct in] which the vehicle was towed, or the address of an Internet website maintained by the Office of Court Administration of the Texas Judicial System that contains the name, address, and telephone number of each justice court having jurisdiction in the county from which the vehicle was towed [parking facility is located].

SECTION 3. The change in law made by this Act applies only to a cause of action filed on or after the effective date of this Act. A cause of action filed before the effective date of this Act is governed by the law in effect on the date the action was filed, and the former law is continued in effect for that purpose.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

SENATE VERSION (CS)

(3) the name, address, ~~and~~ telephone number, and county of the vehicle storage facility in which the vehicle was placed;

(4) the name, street address including city, state, and zip code, and telephone number of the person, parking facility owner, or law enforcement agency that authorized the removal of the vehicle; and

(5) the name, address, and telephone number of each [the] justice court [having jurisdiction] in the county from [precinct in] which the vehicle was towed or, for booted vehicles, the county in which the parking facility is located, or the address of an Internet website maintained by the Office of Court Administration of the Texas Judicial System that contains the name, address, and telephone number of each justice court in that county [parking facility is located].

SECTION 3. Same as House version.

SECTION 4. Same as House version.

CONFERENCE