

By: King of Uvalde

H.B. No. 2704

A BILL TO BE ENTITLED

AN ACT

relating to the sale, use, or possession of an incorrect weighing or measuring device; creating a criminal offense.

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

SECTION 1. Section 13.037, Agriculture Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) A person may not use [~~commits an offense if the person or the person's servant or agent knowingly uses~~] an incorrect weighing or measuring device in:

(1) buying or selling a commodity;

(2) computing a charge for services rendered on the basis of weight or measure; or

(3) determining the weight or measure of a commodity, if a charge is made for the determination.

(c) A person commits an offense if the person or the person's servant or agent knowingly violates Subsection (a).

SECTION 2. Section 13.120, Agriculture Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) A person may not [~~commits an offense if the person or the person's servant or agent knowingly~~]:

(1) offer [~~offers~~] or expose [~~exposes~~] for sale, hire, or award or sell [~~sells~~] an incorrect weighing or measuring device;

1 (2) possess [~~possesses~~] an incorrect weighing or
2 measuring device; or

3 (3) sell, offer for sale, use, or possess [~~sells,~~
4 ~~offers for sale, uses, or possesses~~] for the purpose of sale or use
5 a device or instrument to be used to falsify or intended to falsify
6 a weight or measure.

7 (c) A person commits an offense if the person or the
8 person's servant or agent knowingly violates Subsection (b).

9 SECTION 3. The changes in law made by this Act apply only to
10 an offense committed or conduct that occurs on or after the
11 effective date of this Act. An offense committed or conduct that
12 occurs before the effective date of this Act is governed by the law
13 in effect on the date the offense was committed or the conduct
14 occurred, and the former law is continued in effect for that
15 purpose. For purposes of this section, an offense is committed or
16 conduct occurs before the effective date of this Act if any element
17 of the offense or conduct occurs before the effective date.

18 SECTION 4. This Act takes effect September 1, 2015.