

1-1 By: King of Uvalde (Senate Sponsor - Perry) H.B. No. 2704
 1-2 (In the Senate - Received from the House May 11, 2015;
 1-3 May 11, 2015, read first time and referred to Committee on
 1-4 Agriculture, Water, and Rural Affairs; May 24, 2015, reported
 1-5 favorably by the following vote: Yeas 5, Nays 1; May 24, 2015, sent
 1-6 to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10			X	
1-11	X			
1-12	X			
1-13		X		
1-14	X			
1-15	X			

1-16 A BILL TO BE ENTITLED
 1-17 AN ACT

1-18 relating to the sale, use, or possession of an incorrect weighing or
 1-19 measuring device; creating a criminal offense.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 13.037, Agriculture Code, is amended by
 1-22 amending Subsection (a) and adding Subsection (c) to read as
 1-23 follows:

1-24 (a) A person may not use [~~commits an offense if the person or~~
 1-25 ~~the person's servant or agent knowingly uses~~] an incorrect weighing
 1-26 or measuring device in:

- 1-27 (1) buying or selling a commodity;
- 1-28 (2) computing a charge for services rendered on the
 1-29 basis of weight or measure; or
- 1-30 (3) determining the weight or measure of a commodity,
 1-31 if a charge is made for the determination.

1-32 (c) A person commits an offense if the person or the
 1-33 person's servant or agent knowingly violates Subsection (a).

1-34 SECTION 2. Section 13.120, Agriculture Code, is amended by
 1-35 amending Subsection (b) and adding Subsection (c) to read as
 1-36 follows:

1-37 (b) A person may not [~~commits an offense if the person or the~~
 1-38 ~~person's servant or agent knowingly~~]:

- 1-39 (1) offer [~~offers~~] or expose [~~exposes~~] for sale, hire,
 1-40 or award or sell [~~sells~~] an incorrect weighing or measuring device;
- 1-41 (2) possess [~~possesses~~] an incorrect weighing or
 1-42 measuring device; or
- 1-43 (3) sell, offer for sale, use, or possess [~~sells,~~
 1-44 ~~offers for sale, uses, or possesses~~] for the purpose of sale or use
 1-45 a device or instrument to be used to falsify or intended to falsify
 1-46 a weight or measure.

1-47 (c) A person commits an offense if the person or the
 1-48 person's servant or agent knowingly violates Subsection (b).

1-49 SECTION 3. The changes in law made by this Act apply only to
 1-50 an offense committed or conduct that occurs on or after the
 1-51 effective date of this Act. An offense committed or conduct that
 1-52 occurs before the effective date of this Act is governed by the law
 1-53 in effect on the date the offense was committed or the conduct
 1-54 occurred, and the former law is continued in effect for that
 1-55 purpose. For purposes of this section, an offense is committed or
 1-56 conduct occurs before the effective date of this Act if any element
 1-57 of the offense or conduct occurs before the effective date.

1-58 SECTION 4. This Act takes effect September 1, 2015.

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