

By: Perry

S.B. No. 1909

A BILL TO BE ENTITLED

AN ACT

relating to the sale or use of an incorrect weighing or measuring device; amending provisions subject to a criminal penalty.

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

SECTION 1. Section 13.037(a), Agriculture Code, is amended to read as follows:

(a) A person 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.

SECTION 2. Section 13.120(b), Agriculture Code, is amended to read as follows:

(b) A person commits an offense if the person or the person's servant or agent [~~knowingly~~]:

(1) offers or exposes for sale, hire, or award or sells an incorrect weighing or measuring device;

(2) possesses an incorrect weighing or measuring device; or

(3) sells, offers for sale, uses, or possesses for the purpose of sale or use a device or instrument to be used to falsify

1 or intended to falsify a weight or measure.

2           SECTION 3. The changes in law made by this Act apply only to  
3 an offense committed or conduct that occurs on or after the  
4 effective date of this Act. An offense committed or conduct that  
5 occurs before the effective date of this Act is governed by the law  
6 in effect on the date the offense was committed or the conduct  
7 occurred, and the former law is continued in effect for that  
8 purpose. For purposes of this section, an offense is committed or  
9 conduct occurs before the effective date of this Act if any element  
10 of the offense or conduct occurs before the effective date.

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