

## **BILL ANALYSIS**

H.B. 3860  
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Judiciary & Civil Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Auto dealers are allowed to be deputized by county tax assessor-collectors so that they can facilitate and install metal license plates on cars at their places of business. Once the plates are distributed from the assessor-collector to the dealer, the dealer has control over the plates; however, liability for the plates' misuse remains with the assessor-collector. This becomes problematic if a dealer misuses or mishandles a license plate. If a dealer illegally sells a license plate, the assessor-collector is liable, even though the crime was committed by the dealer. H.B. 3860 seeks to shift this liability from the assessor-collector to the dealer.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 3860 amends the Transportation Code to exempt a county tax assessor-collector from liability for an offense or damages arising from the misuse of license plates or other fraudulent activity related to vehicle registration and titling by an individual or business entity deputized by the county tax assessor-collector to perform titling services in accordance with adopted Texas Department of Motor Vehicles rules. The bill applies only to a cause of action that accrues, or an offense that is committed, on or after the bill's effective date. The bill provides for the continuation of the law in effect before the bill's effective date for purposes of an offense, or any element thereof, that occurred before that date.

### **EFFECTIVE DATE**

September 1, 2023.