

AN ACT

relating to automotive wrecking and salvage yards.

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

SECTION 1. Subdivision (1), Section 396.001, Transportation Code, is amended to read as follows:

(1) "Automotive wrecking and salvage yard" means an outdoor place where a person stores three or more wrecked vehicles for the purpose of dismantling or wrecking the vehicles to remove parts for sale or for use in ~~an~~ automotive repair or rebuilding ~~business~~.

SECTION 2. Chapter 397, Transportation Code, is amended by adding Section 397.014 to read as follows:

Sec. 397.014. INJUNCTION. (a) A person is entitled to an injunction to prohibit a violation or threatened violation of this chapter.

(b) The venue for the injunction proceeding is in the county to which this chapter applies in which any part of the automotive wrecking and salvage yard is located.

SECTION 3. 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, 2005.

David Newkirk
President of the Senate

Tom Caddell
Speaker of the House

I hereby certify that S.B. No. 280 passed the Senate on March 17, 2005, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on April 20, 2005, by the following vote: Yeas 31, Nays 0.

Aatsey Saw
Secretary of the Senate

I hereby certify that S.B. No. 280 passed the House, with amendment, on April 13, 2005, by the following vote: Yeas 143, Nays 0, two present not voting.

Robert Honey
Chief Clerk of the House

Approved:

3 MAY 05

Date

RICK PERRY
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
O'CLOCK

Roger Williams
Secretary of State