

1-1 By: Hancock S.B. No. 2279
 1-2 (In the Senate - Filed April 18, 2017; April 18, 2017, read
 1-3 first time and referred to Committee on Business & Commerce;
 1-4 April 20, 2017, reported favorably by the following vote: Yeas 7,
 1-5 Nays 0; April 20, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Hancock	X			
1-8 Creighton	X			
1-9 Campbell			X	
1-10 Estes			X	
1-11 Nichols	X			
1-12 Schwertner	X			
1-13 Taylor of Galveston	X			
1-14 Whitmire	X			
1-15 Zaffirini	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the ownership, control, or operation of a franchised or
 1-20 nonfranchised dealer or dealership by certain manufacturers.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 2301.476, Occupations Code, is amended
 1-23 by adding Subsection (a-1) and amending Subsection (c) to read as
 1-24 follows:

1-25 (a-1) For purposes of this section, "type of motor vehicle"
 1-26 means:

1-27 (1) a passenger car that is a motor vehicle or a
 1-28 light-duty truck in Class 1, 2, or 3, other than a motorcycle or
 1-29 motor-driven cycle, primarily used to transport persons and
 1-30 designed to accommodate 10 or fewer passengers, including the
 1-31 operator;

1-32 (2) a motorcycle or motor-driven cycle as defined by
 1-33 Section 541.201, Transportation Code;

1-34 (3) an engine, transmission, or rear axle described by
 1-35 Section 2301.002(23)(C);

1-36 (4) a truck, including a medium-duty or heavy-duty
 1-37 truck that is in Class 4, 5, 6, 7, or 8;

1-38 (5) a bus that is a motor vehicle used to transport
 1-39 persons and designed to accommodate more than 10 passengers,
 1-40 including the operator;

1-41 (6) a road tractor or truck tractor as defined by
 1-42 Section 541.201, Transportation Code;

1-43 (7) a fire-fighting vehicle; or

1-44 (8) a recreational vehicle, including a motor home, a
 1-45 towable recreational vehicle, or a travel trailer or house trailer
 1-46 as defined by Section 501.002, Transportation Code.

1-47 (c) Except as provided by this section, a manufacturer or
 1-48 distributor may not directly or indirectly:

1-49 (1) own an interest in a franchised or nonfranchised
 1-50 dealer or dealership that sells or services the same type of motor
 1-51 vehicle that it manufactures or distributes;

1-52 (2) operate or control:

1-53 (A) a [~~franchised or nonfranchised~~] dealer or
 1-54 dealership franchised to sell or service the same type of motor
 1-55 vehicle that it manufactures or distributes; or

1-56 (B) a nonfranchised dealer or dealership; or

1-57 (3) act in the capacity of:

1-58 (A) a [~~franchised or nonfranchised~~] dealer or
 1-59 dealership franchised to sell or service the same type of motor
 1-60 vehicle that it manufactures or distributes; or

1-61 (B) a nonfranchised dealer.

2-1 SECTION 2. This Act takes effect September 1, 2017.

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