

BILL ANALYSIS

Senate Research Center
86R7831 TSR-F

H.B. 2223
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Agriculture
4/16/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

There have been calls to strengthen recently passed legislation that provided certain exemptions for scales used exclusively to weigh food sold for immediate consumption. H.B. 2223 seeks to address this issue by clarifying the exemption from registration and inspection requirements provided to such scales.

H.B. 2223 amends current law relating to the exemption of certain commercial weighing or measuring devices from registration and inspection requirements.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 13.1002, Agriculture Code, as follows:

Sec. 13.1002. EXEMPTION OF CERTAIN WEIGHING OR MEASURING DEVICES. Provides that, notwithstanding any other law, a commercial weighing or measuring device is exempt from this subchapter (Inspection and Registration of Weighing or Measuring Devices), rather than a commercial weighing or measuring device that is exclusively used to weigh food sold for immediate consumption, is exempt from this subchapter, including the inspection requirements under Section 13.101 (Inspection of Devices) and the registration requirements under Section 13.1011 (Required Registration), if the device is exclusively used to weigh food:

- (1) sold ready for immediate consumption, regardless of whether the food is consumed on the premises where the food is weighed and sold; and
- (2) not exempted from sales and use taxes under Section 151.314 (Food and Food Products), Tax Code.

SECTION 2. Effective date: upon passage or September 1, 2019.