CHAPTER 584
S.B. No. 875

AN ACT relating to the purchase of plastic bulk merchandise containers by certain businesses; providing a civil penalty.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 204.002, Business & Commerce Code, is amended by amending Subsections (a) and (c) and adding Subsections (d), (e), and (f) to read as follows:

(a) A person who is in the business of recycling, shredding, or destroying plastic bulk merchandise containers, before purchasing five or more plastic bulk merchandise containers from the same person, shall:

(1) obtain from that person:
   (A) proof of ownership for the containers; and
   (B) a record that contains:
       (i) the name, address, and telephone number of the person or the person's authorized representative;
       (ii) the name and address of the buyer of the containers or any consignee of the containers;
       (iii) a description of the containers, including the number of the containers to be sold; and
       (iv) the date of the transaction; and

(2) verify:
   (A) the identity of the individual selling the containers or representing the seller from a driver's license or other government-issued identification card that includes the individual's photograph, and record the verification; or
   (B) in a manner determined by the purchaser that the individual is acting on behalf of a corporation, business, government, or governmental subdivision or agency.

(c) A person who is in the business of recycling, shredding, or destroying plastic bulk merchandise containers and who purchases a plastic bulk merchandise container from an individual, unless the person verifies in a manner determined by the purchaser that the individual is acting on behalf of a corporation, business, government, or governmental subdivision or agency:

(1) may not pay for the purchase of any plastic bulk merchandise container with cash; and

(2) shall, for each transaction in which the person purchases one or more plastic bulk merchandise containers, record the method of payment used to purchase the containers.

(d) A record made under Subsection (c)(2) shall be attached to a record made or obtained under Subsection (a) if a record is required under that subsection.

(e) A person who violates Subsection (a) or (b) is liable to this state for a civil penalty of $10,000 for each violation.

(f) A person who violates Subsection (c) is liable to this state for a civil penalty in an amount not to exceed $5,000 for each violation. Each cash transaction made in violation of 1581
Subsection (c)(1) is a separate violation for purposes of imposing a penalty under this subsection. In determining the amount of the civil penalty imposed under this subsection, the court shall consider the amount necessary to deter future violations.

SECTION 2. Subsection (a), Section 204.004, Business & Commerce Code, is amended to read as follows:

(a) The attorney general or appropriate prosecuting attorney may:

(1) inspect a record retained by a person under Section 204.002;
(2) investigate an alleged violation of this chapter; and
(3) sue to collect a civil penalty under this chapter.

SECTION 3. This Act takes effect September 1, 2013.

Passed the Senate on April 11, 2013: Yeas 30, Nays 1; the Senate concurred in House amendment on May 20, 2013: Yeas 30, Nays 1; passed the House, with amendment, on May 15, 2013: Yeas 116, Nays 30, two present not voting.

Approved June 14, 2013.
Effective September 1, 2013.

CHAPTER 585
S.B. No. 877
AN ACT relating to establishing the Citizens' Star of Texas Award.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 3106.001, Government Code, is amended by adding Subdivision (4) to read as follows:

(4) "Next of kin" means the relative in the nearest degree of relationship to a deceased person, including the person's spouse, child, parent, or sibling.

SECTION 2. Chapter 3106, Government Code, is amended by adding Section 3106.0041 to read as follows:

Sec. 3106.0041. CITIZENS' STAR OF TEXAS AWARD. (a) The Citizens' Star of Texas Award shall be awarded to:

(1) a private citizen who is seriously injured while aiding or attempting to aid a peace officer, firefighter, or emergency medical first responder in the performance of the duties of the officer, firefighter, or first responder, and
(2) the surviving next of kin of a private citizen who is killed or sustains a fatal injury while aiding or attempting to aid a peace officer, firefighter, or emergency medical first responder in the performance of the duties of the officer, firefighter, or first responder.

(b) The Peace Officers' Star of Texas Award Advisory Committee under Section 3106.002, the Firefighters' Star of Texas Award Advisory Committee under Section 3106.003, and the Emergency Medical First Responders' Star of Texas Award Advisory Committee under Section 3106.004, as applicable, shall advise the governor on the issuance, design, and presentation of the Citizens' Star of Texas Award.

SECTION 3. Section 3106.007, Government Code, is amended to read as follows:

Sec. 3106.007. RECOMMENDATION FOR AWARD. (a) Any person who has personal knowledge that a peace officer, firefighter, or emergency medical first responder has been killed or seriously injured in the line of duty, or that a federal law enforcement officer or special agent has been killed or seriously injured while performing duties in this state to assist a state or local law enforcement agency, may submit that information in writing to a committee under this chapter.

(b) The head of an agency that employs a peace officer, firefighter, or emergency medical first responder who has knowledge of a private citizen described by Section 3106.0041(a) and...