

By: Leach

H.B. No. 4595

A BILL TO BE ENTITLED

AN ACT

relating to nonsubstantive additions to, revisions of, and corrections in enacted codes and to the nonsubstantive codification or disposition of various laws omitted from enacted codes.

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

ARTICLE 1. GENERAL PROVISIONS

SECTION 1.001. This Act is enacted as part of the state's continuing statutory revision program under Chapter 323, Government Code. This Act is a revision for purposes of Section 43, Article III, Texas Constitution, and has the purposes of:

(1) codifying without substantive change or providing for other appropriate disposition of various statutes that were omitted from enacted codes;

(2) revising without substantive change provisions in enacted codes;

(3) making necessary corrections to enacted codes; and

(4) renumbering or otherwise redesignating titles, chapters, and sections of codes that duplicate title, chapter, or section designations.

SECTION 1.002. (a) The repeal of a statute by this Act does not affect an amendment, revision, or reenactment of the statute by the 88th Legislature, Regular Session, 2023. The amendment, revision, or reenactment is preserved and given effect as part of the code provision that revised the statute so amended, revised, or

1 reenacted.

2 (b) If any provision of this Act conflicts with a statute  
3 enacted by the 88th Legislature, Regular Session, 2023, the statute  
4 controls.

5 SECTION 1.003. (a) A transition or saving provision of a  
6 law codified by this Act applies to the codified law to the same  
7 extent as it applied to the original law.

8 (b) The repeal of a transition or saving provision by this  
9 Act does not affect the application of the provision to the codified  
10 law.

11 (c) In this section, "transition provision" includes any  
12 temporary provision providing for a special situation in the  
13 transition period between the existing law and the establishment or  
14 implementation of the new law.

15 SECTION 1.004. (a) The repeal of a law, including a  
16 validating law, by this Act does not remove, void, or otherwise  
17 affect in any manner a validation under the repealed law. The  
18 validation is preserved and continues to have the same effect that  
19 it would have if the law were not repealed.

20 (b) Subsection (a) of this section does not diminish the  
21 saving provisions prescribed by Section [311.031](#), Government Code.

22 ARTICLE 2. CHANGES RELATING TO ALCOHOLIC BEVERAGE CODE

23 SECTION 2.001. Section [5.10\(c\)](#), Alcoholic Beverage Code, is  
24 amended to conform to Chapter 269 (H.B. 752), Acts of the 73rd  
25 Legislature, Regular Session, 1993, to read as follows:

26 (c) The administrator or the administrator's designee shall  
27 prepare and maintain a written policy statement to assure

1 implementation of a program of equal employment opportunity under  
2 which all personnel transactions are made without regard to race,  
3 color, disability, sex, religion, age, or national origin. The  
4 policy statement must include:

5 (1) personnel policies, including policies relating  
6 to recruitment, evaluation, selection, appointment, training, and  
7 promotion of personnel that are in compliance with the requirements  
8 of Chapter 21, Labor Code [~~the Commission on Human Rights Act~~  
9 ~~(Article 5221k, Vernon's Texas Civil Statutes)~~];

10 (2) a comprehensive analysis of the commission work  
11 force that meets federal and state guidelines;

12 (3) procedures by which a determination can be made of  
13 significant underuse in the commission work force of all persons  
14 for whom federal or state guidelines encourage a more equitable  
15 balance; and

16 (4) reasonable methods to appropriately address those  
17 areas of significant underuse.

18 SECTION 2.002. Section 106.17, Alcoholic Beverage Code, as  
19 added by Chapter 79 (S.B. 315), Acts of the 87th Legislature,  
20 Regular Session, 2021, is repealed as duplicative of Section  
21 106.17, Alcoholic Beverage Code, as added by Chapter 942 (S.B.  
22 766), Acts of the 87th Legislature, Regular Session, 2021.

23 ARTICLE 3. CHANGES RELATING TO BUSINESS & COMMERCE CODE

24 SECTION 3.001. Section 102.053, Business & Commerce Code,  
25 is amended to correct a reference to read as follows:

26 Sec. 102.053. REMISSION OF FEE; SUBMISSION OF REPORTS.

27 Each quarter, a sexually oriented business shall:

1           (1) remit the fee imposed by Section 102.052 [~~47.052~~]  
2 to the comptroller in the manner prescribed by the comptroller; and

3           (2) file a report with the comptroller in the manner  
4 and containing the information required by the comptroller.

5       ARTICLE 4. CHANGES RELATING TO CIVIL PRACTICE AND REMEDIES CODE

6       SECTION 4.001. Section 22.001(a), Civil Practice and  
7 Remedies Code, is amended to correct a reference to read as follows:

8           (a) Except as provided by Section 22.003 [~~22.002~~], a witness  
9 is entitled to 10 dollars for each day the witness attends court.  
10 This fee includes the entitlement for travel and the witness is not  
11 entitled to any reimbursement for mileage traveled.

12       SECTION 4.002. Section 51.014(a), Civil Practice and  
13 Remedies Code, as amended by Chapters 167 (S.B. 232), 528 (S.B. 6),  
14 and 813 (H.B. 2086), Acts of the 87th Legislature, Regular Session,  
15 2021, is reenacted and amended to read as follows:

16           (a) A person may appeal from an interlocutory order of a  
17 district court, county court at law, statutory probate court, or  
18 county court that:

19               (1) appoints a receiver or trustee;

20               (2) overrules a motion to vacate an order that  
21 appoints a receiver or trustee;

22               (3) certifies or refuses to certify a class in a suit  
23 brought under Rule 42 of the Texas Rules of Civil Procedure;

24               (4) grants or refuses a temporary injunction or grants  
25 or overrules a motion to dissolve a temporary injunction as  
26 provided by Chapter 65;

27               (5) denies a motion for summary judgment that is based

1 on an assertion of immunity by an individual who is an officer or  
2 employee of the state or a political subdivision of the state;

3 (6) denies a motion for summary judgment that is based  
4 in whole or in part upon a claim against or defense by a member of  
5 the electronic or print media, acting in such capacity, or a person  
6 whose communication appears in or is published by the electronic or  
7 print media, arising under the free speech or free press clause of  
8 the First Amendment to the United States Constitution, or Article  
9 I, Section 8, of the Texas Constitution, or Chapter 73;

10 (7) grants or denies the special appearance of a  
11 defendant under Rule 120a, Texas Rules of Civil Procedure, except  
12 in a suit brought under the Family Code;

13 (8) grants or denies a plea to the jurisdiction by a  
14 governmental unit as that term is defined in Section 101.001;

15 (9) denies all or part of the relief sought by a motion  
16 under Section 74.351(b), except that an appeal may not be taken from  
17 an order granting an extension under Section 74.351;

18 (10) grants relief sought by a motion under Section  
19 74.351(1);

20 (11) denies a motion to dismiss filed under Section  
21 90.007;

22 (12) denies a motion to dismiss filed under Section  
23 27.003;

24 (13) denies a motion for summary judgment filed by an  
25 electric utility regarding liability in a suit subject to Section  
26 75.0022;

27 (14) denies a motion filed by a municipality with a

1 population of 500,000 or more in an action filed under Section  
2 [54.012\(6\)](#) or [214.0012](#), Local Government Code; [~~or~~]

3 (15) makes a preliminary determination on a claim  
4 under Section [74.353](#);

5 (16) [~~(15)~~] overrules an objection filed under  
6 Section [148.003\(d\)](#) or denies all or part of the relief sought by a  
7 motion under Section [148.003\(f\)](#); or

8 (17) [~~(15)~~] grants or denies a motion for summary  
9 judgment filed by a contractor based on Section [97.002](#).

10 SECTION 4.003. Section [51.015](#), Civil Practice and Remedies  
11 Code, is amended to correct a reference to read as follows:

12 Sec. 51.015. COSTS OF APPEAL. In the case of an appeal  
13 brought pursuant to Section [51.014\(a\)\(6\)](#) [~~51.014(6)~~], if the order  
14 appealed from is affirmed, the court of appeals shall order the  
15 appellant to pay all costs and reasonable attorney fees of the  
16 appeal; otherwise, each party shall be liable for and taxed its own  
17 costs of the appeal.

18 ARTICLE 5. CHANGES RELATING TO CODE OF CRIMINAL PROCEDURE

19 SECTION 5.001. Article [12.01](#), Code of Criminal Procedure,  
20 is amended to correct an error in punctuation to read as follows:

21 Art. 12.01. FELONIES. Except as provided in Article [12.03](#),  
22 felony indictments may be presented within these limits, and not  
23 afterward:

24 (1) no limitation:

25 (A) murder and manslaughter;

26 (B) sexual assault under Section [22.011\(a\)\(2\)](#),  
27 Penal Code, or aggravated sexual assault under Section

1 22.021(a)(1)(B), Penal Code;

2 (C) sexual assault, if:

3 (i) during the investigation of the offense

4 biological matter is collected and the matter:

5 (a) has not yet been subjected to

6 forensic DNA testing; or

7 (b) has been subjected to forensic DNA

8 testing and the testing results show that the matter does not match

9 the victim or any other person whose identity is readily

10 ascertained; or

11 (ii) probable cause exists to believe that

12 the defendant has committed the same or a similar sex offense

13 against five or more victims;

14 (D) continuous sexual abuse of young child or

15 disabled individual under Section 21.02, Penal Code;

16 (E) indecency with a child under Section 21.11,

17 Penal Code;

18 (F) an offense involving leaving the scene of an

19 accident under Section 550.021, Transportation Code, if the

20 accident resulted in the death of a person;

21 (G) trafficking of persons under Section

22 20A.02(a)(7) or (8), Penal Code;

23 (H) continuous trafficking of persons under

24 Section 20A.03, Penal Code; or

25 (I) compelling prostitution under Section

26 43.05(a)(2), Penal Code;

27 (2) ten years from the date of the commission of the

1 offense:

2 (A) theft of any estate, real, personal or mixed,  
3 by an executor, administrator, guardian or trustee, with intent to  
4 defraud any creditor, heir, legatee, ward, distributee,  
5 beneficiary or settlor of a trust interested in such estate;

6 (B) theft by a public servant of government  
7 property over which the public servant exercises control in the  
8 public servant's official capacity;

9 (C) forgery or the uttering, using, or passing of  
10 forged instruments;

11 (D) injury to an elderly or disabled individual  
12 punishable as a felony of the first degree under Section 22.04,  
13 Penal Code;

14 (E) sexual assault, except as provided by  
15 Subdivision (1) or (7);

16 (F) arson;

17 (G) trafficking of persons under Section  
18 20A.02(a)(1), (2), (3), or (4), Penal Code; or

19 (H) compelling prostitution under Section  
20 43.05(a)(1), Penal Code;

21 (3) seven years from the date of the commission of the  
22 offense:

23 (A) misapplication of fiduciary property or  
24 property of a financial institution;

25 (B) fraudulent securing of document execution;

26 (C) a felony violation under Chapter 162, Tax  
27 Code;



1 (D) false statement to obtain property or credit  
2 under Section 32.32, Penal Code;

3 (E) money laundering;

4 (F) credit card or debit card abuse under Section  
5 32.31, Penal Code;

6 (G) fraudulent use or possession of identifying  
7 information under Section 32.51, Penal Code;

8 (H) exploitation of a child, elderly individual,  
9 or disabled individual under Section 32.53, Penal Code;

10 (I) health care fraud under Section 35A.02, Penal  
11 Code; or

12 (J) bigamy under Section 25.01, Penal Code,  
13 except as provided by Subdivision (6);

14 (4) five years from the date of the commission of the  
15 offense:

16 (A) theft or robbery;

17 (B) except as provided by Subdivision (5),  
18 kidnapping or burglary;

19 (C) injury to an elderly or disabled individual  
20 that is not punishable as a felony of the first degree under Section  
21 22.04, Penal Code;

22 (D) abandoning or endangering a child; or

23 (E) insurance fraud;

24 (5) if the investigation of the offense shows that the  
25 victim is younger than 17 years of age at the time the offense is  
26 committed, 20 years from the 18th birthday of the victim of one of  
27 the following offenses:

1 (A) sexual performance by a child under Section  
2 43.25, Penal Code;

3 (B) aggravated kidnapping under Section  
4 20.04(a)(4), Penal Code, if the defendant committed the offense  
5 with the intent to violate or abuse the victim sexually; or

6 (C) burglary under Section 30.02, Penal Code, if  
7 the offense is punishable under Subsection (d) of that section and  
8 the defendant committed the offense with the intent to commit an  
9 offense described by Subdivision (1)(B) or (D) of this article or  
10 Paragraph (B) of this subdivision;

11 (6) ten years from the 18th birthday of the victim of  
12 the offense:

13 (A) trafficking of persons under Section  
14 20A.02(a)(5) or (6), Penal Code;

15 (B) injury to a child under Section 22.04, Penal  
16 Code; or

17 (C) bigamy under Section 25.01, Penal Code, if  
18 the investigation of the offense shows that the person, other than  
19 the legal spouse of the defendant, whom the defendant marries or  
20 purports to marry or with whom the defendant lives under the  
21 appearance of being married is younger than 18 years of age at the  
22 time the offense is committed;

23 (7) two years from the date the offense was  
24 discovered: sexual assault punishable as a state jail felony under  
25 Section 22.011(f)(2), Penal Code; or

26 (8) three years from the date of the commission of the  
27 offense: all other felonies.

1 SECTION 5.002. Article 17.091, Code of Criminal Procedure,  
2 is amended to conform to the amendment of Article 42A.054(a), Code  
3 of Criminal Procedure, by Chapter 1137 (H.B. 2758), Acts of the 86th  
4 Legislature, Regular Session, 2019, to read as follows:

5 Art. 17.091. NOTICE OF CERTAIN BAIL REDUCTIONS  
6 REQUIRED. Before a judge or magistrate reduces the amount of bail  
7 set for a defendant charged with an offense listed in Article  
8 42A.054 or [7] an offense described by Article 62.001(5), [~~or an~~  
9 ~~offense under Section 20A.03, Penal Code,~~] the judge or magistrate  
10 shall provide:

11 (1) to the attorney representing the state, reasonable  
12 notice of the proposed bail reduction; and

13 (2) on request of the attorney representing the state  
14 or the defendant or the defendant's counsel, an opportunity for a  
15 hearing concerning the proposed bail reduction.

16 ARTICLE 6. CHANGES RELATING TO EDUCATION CODE

17 SECTION 6.001. Section 12.013(b), Education Code, as  
18 amended by Chapters 887 (S.B. 1697) and 1046 (S.B. 1365), Acts of  
19 the 87th Legislature, Regular Session, 2021, is reenacted and  
20 amended to read as follows:

21 (b) A home-rule school district is subject to:

22 (1) a provision of this title establishing a criminal  
23 offense;

24 (2) a provision of this title relating to limitations  
25 on liability; and

26 (3) a prohibition, restriction, or requirement, as  
27 applicable, imposed by this title or a rule adopted under this

1 title, relating to:

2 (A) the Public Education Information Management  
3 System (PEIMS) to the extent necessary to monitor compliance with  
4 this subchapter as determined by the commissioner;

5 (B) educator certification under Chapter 21 and  
6 educator rights under Sections 21.407, 21.408, and 22.001;

7 (C) criminal history records under Subchapter C,  
8 Chapter 22;

9 (D) student admissions under Section 25.001;

10 (E) school attendance under Sections 25.085,  
11 25.086, and 25.087;

12 (F) inter-district or inter-county transfers of  
13 students under Subchapter B, Chapter 25;

14 (G) elementary class size limits under Section  
15 25.112, in the case of any campus in the district that fails to  
16 satisfy any standard under Section 39.054(e);

17 (H) high school graduation under Section 28.025;

18 (I) special education programs under Subchapter  
19 A, Chapter 29;

20 (J) bilingual education under Subchapter B,  
21 Chapter 29;

22 (K) prekindergarten programs under Subchapter E,  
23 Chapter 29;

24 (L) safety provisions relating to the  
25 transportation of students under Sections 34.002, 34.003, 34.004,  
26 and 34.008;

27 (M) computation and distribution of state aid

1 under Chapters 31, 43, and 48;

2 (N) extracurricular activities under Section  
3 33.081;

4 (O) health and safety under Chapter 38;

5 (P) the provisions of Subchapter A, Chapter 39;

6 (Q) public school accountability and special  
7 investigations under Subchapters A, B, C, D, and J, Chapter 39, and  
8 Chapter 39A;

9 (R) options for local revenue levels in excess of  
10 entitlement under Chapter 49;

11 (S) a bond or other obligation or tax rate under  
12 Chapters 43, 45, and 48;

13 (T) purchasing under Chapter 44; and

14 (U) [~~(T)~~] parental options to retain a student  
15 under Section 28.02124.

16 SECTION 6.002. Section 12.056(b), Education Code, as  
17 amended by Chapters 887 (S.B. 1697), 974 (S.B. 2081), and 1046 (S.B.  
18 1365), Acts of the 87th Legislature, Regular Session, 2021, is  
19 reenacted and amended to read as follows:

20 (b) A campus or program for which a charter is granted under  
21 this subchapter is subject to:

22 (1) a provision of this title establishing a criminal  
23 offense; and

24 (2) a prohibition, restriction, or requirement, as  
25 applicable, imposed by this title or a rule adopted under this  
26 title, relating to:

27 (A) the Public Education Information Management

1 System (PEIMS) to the extent necessary to monitor compliance with  
2 this subchapter as determined by the commissioner;

3 (B) criminal history records under Subchapter C,  
4 Chapter 22;

5 (C) high school graduation under Section 28.025;

6 (D) special education programs under Subchapter  
7 A, Chapter 29;

8 (E) bilingual education under Subchapter B,  
9 Chapter 29;

10 (F) prekindergarten programs under Subchapter E,  
11 Chapter 29, except class size limits for prekindergarten classes  
12 imposed under Section 25.112, which do not apply;

13 (G) extracurricular activities under Section  
14 33.081;

15 (H) health and safety under Chapter 38;

16 (I) the provisions of Subchapter A, Chapter 39;

17 (J) public school accountability and special  
18 investigations under Subchapters A, B, C, D, F, and J, Chapter 39,  
19 and Chapter 39A;

20 (K) the duty to discharge or refuse to hire  
21 certain employees or applicants for employment under Section  
22 12.1059; and

23 (L) [~~(K)~~] parental options to retain a student  
24 under Section 28.02124.

25 SECTION 6.003. Section 12.104(b), Education Code, as  
26 amended by Chapters 542 (S.B. 168), 887 (S.B. 1697), 915 (H.B.  
27 3607), 974 (S.B. 2081), and 1046 (S.B. 1365), Acts of the 87th

1 Legislature, Regular Session, 2021, is reenacted and amended to  
2 read as follows:

3 (b) An open-enrollment charter school is subject to:

4 (1) a provision of this title establishing a criminal  
5 offense;

6 (2) the provisions in Chapter 554, Government Code;  
7 and

8 (3) a prohibition, restriction, or requirement, as  
9 applicable, imposed by this title or a rule adopted under this  
10 title, relating to:

11 (A) the Public Education Information Management  
12 System (PEIMS) to the extent necessary to monitor compliance with  
13 this subchapter as determined by the commissioner;

14 (B) criminal history records under Subchapter C,  
15 Chapter 22;

16 (C) reading instruments and accelerated reading  
17 instruction programs under Section 28.006;

18 (D) accelerated instruction under Section  
19 28.0211;

20 (E) high school graduation requirements under  
21 Section 28.025;

22 (F) special education programs under Subchapter  
23 A, Chapter 29;

24 (G) bilingual education under Subchapter B,  
25 Chapter 29;

26 (H) prekindergarten programs under Subchapter E  
27 or E-1, Chapter 29, except class size limits for prekindergarten

- 1 classes imposed under Section 25.112, which do not apply;
- 2 (I) extracurricular activities under Section  
3 33.081;
- 4 (J) discipline management practices or behavior  
5 management techniques under Section 37.0021;
- 6 (K) health and safety under Chapter 38;
- 7 (L) the provisions of Subchapter A, Chapter 39;
- 8 (M) public school accountability and special  
9 investigations under Subchapters A, B, C, D, F, G, and J, Chapter  
10 39, and Chapter 39A;
- 11 (N) the requirement under Section 21.006 to  
12 report an educator's misconduct;
- 13 (O) intensive programs of instruction under  
14 Section 28.0213;
- 15 (P) the right of a school employee to report a  
16 crime, as provided by Section 37.148;
- 17 (Q) bullying prevention policies and procedures  
18 under Section 37.0832;
- 19 (R) the right of a school under Section 37.0052  
20 to place a student who has engaged in certain bullying behavior in a  
21 disciplinary alternative education program or to expel the student;
- 22 (S) the right under Section 37.0151 to report to  
23 local law enforcement certain conduct constituting assault or  
24 harassment;
- 25 (T) a parent's right to information regarding the  
26 provision of assistance for learning difficulties to the parent's  
27 child as provided by Sections 26.004(b)(11) and 26.0081(c) and (d);



1 (U) establishment of residency under Section  
2 25.001;

3 (V) school safety requirements under Sections  
4 37.108, 37.1081, 37.1082, 37.109, 37.113, 37.114, 37.1141, 37.115,  
5 37.207, and 37.2071;

6 (W) the early childhood literacy and mathematics  
7 proficiency plans under Section 11.185;

8 (X) the college, career, and military readiness  
9 plans under Section 11.186; and

10 (Y) [~~(X)~~] parental options to retain a student  
11 under Section 28.02124.

12 SECTION 6.004. Section 12.1058(a), Education Code, as  
13 amended by Chapters 551 (S.B. 282) and 916 (H.B. 3610), Acts of the  
14 87th Legislature, Regular Session, 2021, is reenacted and amended  
15 to read as follows:

16 (a) An open-enrollment charter school is considered to be:

17 (1) a local government for purposes of Chapter 791,  
18 Government Code;

19 (2) a local government for purposes of Chapter 2259,  
20 Government Code, except that an open-enrollment charter school may  
21 not issue public securities as provided by Section 2259.031(b),  
22 Government Code;

23 (3) a political subdivision for purposes of Chapter  
24 172, Local Government Code;

25 (4) a local governmental entity for purposes of  
26 Subchapter I, Chapter 271, Local Government Code; [~~and~~]

27 (5) a political subdivision for purposes of Section

1 180.008, Local Government Code;

2           (6) [~~5~~] a political subdivision for purposes of  
3 Section 16.061, Civil Practice and Remedies Code, with respect to  
4 any property purchased, leased, constructed, renovated, or  
5 improved with state funds under Section 12.128 of this code; and

6           (7) [~~6~~] a political subdivision for purposes of  
7 Section 11.11, Tax Code.

8           SECTION 6.005. (a) Section 12.263, Education Code, as  
9 effective September 1, 2023, is amended to conform to Chapter 489  
10 (H.B. 3456), Acts of the 87th Legislature, Regular Session, 2021,  
11 by adding Subsection (h) to read as follows:

12           (h) Notwithstanding any other law, for purposes of any  
13 budget reductions requested by the Legislative Budget Board or the  
14 governor, any money received by a nonprofit entity granted a  
15 charter under this subchapter or appropriated to the agency for  
16 purposes of operating an adult education program under this  
17 subchapter is considered to be part of the foundation school  
18 program and is not subject to those budget reductions.

19           (b) Section 2, Chapter 489 (H.B. 3456), Acts of the 87th  
20 Legislature, Regular Session, 2021, which added Section  
21 29.259(j-1), Education Code, is repealed.

22           SECTION 6.006. Section 21.051, Education Code, as amended  
23 by Chapters 215 (H.B. 159) and 952 (S.B. 1590), Acts of the 87th  
24 Legislature, Regular Session, 2021, is amended by reenacting and  
25 amending Subsection (f) and adding Subsection (f-1) to read as  
26 follows:

27           (f) The board shall propose rules providing flexible

1 options for persons for any field-based experience or internship  
2 required for certification, including options for candidate  
3 observations that provide for at least:

4 (1) two observations to occur in person and two  
5 additional observations to occur in virtual settings that are  
6 equivalent in rigor to in-person options for observation; or

7 (2) three observations to occur in person.

8 (f-1) The options required under Subsection (f) must, to the  
9 greatest extent practicable, involve interaction with a diverse  
10 student population, including students with disabilities.

11 SECTION 6.007. Section [21.4551\(b\)](#), Education Code, as  
12 amended by Chapter 973 (S.B. 2066), Acts of the 87th Legislature,  
13 Regular Session, 2021, is repealed to conform to the repeal of  
14 Section [21.4551](#), Education Code, by Chapter 1045 (S.B. 1267), Acts  
15 of the 87th Legislature, Regular Session, 2021.

16 SECTION 6.008. Section [31.0211\(c\)](#), Education Code, as  
17 amended by Chapters 806 (H.B. 1525) and 1003 (H.B. 3261), Acts of  
18 the 87th Legislature, Regular Session, 2021, is reenacted and  
19 amended to read as follows:

20 (c) Funds allotted under this section may be used to:

21 (1) purchase:

22 (A) materials on the list adopted by the  
23 commissioner, as provided by Section [31.0231](#);

24 (B) instructional materials, regardless of  
25 whether the instructional materials are on the list adopted under  
26 Section [31.024](#);

27 (C) consumable instructional materials,

1 including workbooks;

2 (D) instructional materials for use in bilingual  
3 education classes, as provided by Section 31.029;

4 (E) instructional materials for use in college  
5 preparatory courses under Section 28.014, as provided by Section  
6 31.031;

7 (F) supplemental instructional materials, as  
8 provided by Section 31.035;

9 (G) state-developed open education resource  
10 instructional materials, as provided by Subchapter B-1;

11 (H) instructional materials and technological  
12 equipment under any continuing contracts of the district in effect  
13 on September 1, 2011;

14 (I) technological equipment necessary to support  
15 the use of materials included on the list adopted by the  
16 commissioner under Section 31.0231 or any instructional materials  
17 purchased with an allotment under this section;

18 (J) inventory software or systems for storing,  
19 managing, and accessing instructional materials and analyzing the  
20 usage and effectiveness of the instructional materials; and

21 (K) services, equipment, and technology  
22 infrastructure necessary to ensure Internet connectivity and  
23 adequate bandwidth; and

24 (2) pay:

25 (A) for training educational personnel directly  
26 involved in student learning in the appropriate use of  
27 instructional materials and for providing for access to

1 technological equipment for instructional use;

2 (B) for training personnel in the electronic  
3 administration of assessment instruments; ~~and~~

4 (C) the salary and other expenses of an employee  
5 who provides technical support for the use of technological  
6 equipment directly involved in student learning; and

7 (D) ~~(C)~~ for costs associated with distance  
8 learning, including Wi-Fi, Internet access hotspots, wireless  
9 network service, broadband service, and other services and  
10 technological equipment necessary to facilitate Internet access.

11 SECTION 6.009. Sections 48.009(b-1) and (b-2), Education  
12 Code, as added by Chapter 915 (H.B. 3607), Acts of the 87th  
13 Legislature, Regular Session, 2021, are repealed as duplicative of  
14 Sections 48.009(b)(6) and (7), Education Code, as added by Chapter  
15 806 (H.B. 1525), Acts of the 87th Legislature, Regular Session,  
16 2021.

17 SECTION 6.010. Section 48.009(b-3), Education Code, is  
18 amended to correct a reference to read as follows:

19 (b-3) A student reported under Subsection (b)(7) ~~(b-2)~~ as  
20 having enrolled in a high school equivalency program, a dropout  
21 recovery school, or an adult education program provided under a  
22 high school diploma and industry certification charter school  
23 program must be reported through the Public Education Information  
24 Management System as having previously dropped out of school.

25 SECTION 6.011. Section 48.009(b-4), Education Code, as  
26 added by Chapter 806 (H.B. 1525), Acts of the 87th Legislature,  
27 Regular Session, 2021, is repealed as duplicative of Section

1 48.009(b-3), Education Code, as added by Chapter 915 (H.B. 3607),  
2 Acts of the 87th Legislature, Regular Session, 2021.

3 SECTION 6.012. Section 134.004, Education Code, as amended  
4 by Chapters 80 (S.B. 346) and 499 (H.B. 4279), Acts of the 87th  
5 Legislature, Regular Session, 2021, is reenacted to read as  
6 follows:

7 Sec. 134.004. JOBS AND EDUCATION FOR TEXANS (JET) GRANT  
8 PROGRAM. (a) The commission shall establish and administer the Jobs  
9 and Education for Texans (JET) Grant Program to provide grants to  
10 public junior colleges, public technical institutes, public state  
11 colleges, and school districts and open-enrollment charter schools  
12 described under Section 134.007 that apply to the advisory board in  
13 the manner prescribed by the advisory board. The commission shall  
14 award the grants on the advice and recommendations of the advisory  
15 board.

16 (b) Grants may be awarded under this chapter from the Jobs  
17 and Education for Texans (JET) fund to defray the start-up costs  
18 associated with the development of new career and technical  
19 education programs at public junior colleges, public technical  
20 institutes, public state colleges, and school districts and  
21 open-enrollment charter schools described under Section 134.007  
22 that meet the requirements of Section 134.006.

23 SECTION 6.013. Section 134.006(a), Education Code, as  
24 amended by Chapters 80 (S.B. 346) and 499 (H.B. 4279), Acts of the  
25 87th Legislature, Regular Session, 2021, is reenacted and amended  
26 to read as follows:

27 (a) The commission may award a grant for the development of

1 new career and technical education courses or programs at public  
2 junior colleges, public technical institutes, public state  
3 colleges, and school districts~~[7]~~ and open-enrollment charter  
4 schools described under Section 134.007.

5 SECTION 6.014. Section 134.006(d), Education Code, as  
6 amended by Chapters 80 (S.B. 346) and 499 (H.B. 4279), Acts of the  
7 87th Legislature, Regular Session, 2021, is reenacted to read as  
8 follows:

9 (d) To be eligible to receive a grant under this section, a  
10 public junior college, public technical institute, public state  
11 college, or school district or open-enrollment charter school  
12 described under Section 134.007 must provide matching funds in  
13 accordance with rules adopted under Section 134.008. The matching  
14 funds may be obtained from any source available to the public junior  
15 college, public technical institute, public state college, school  
16 district, or open-enrollment charter school, including industry  
17 consortia, community or foundation grants, individual  
18 contributions, and local governmental agency operating funds.

19 SECTION 6.015. Section 134.007, Education Code, as amended  
20 by Chapters 80 (S.B. 346) and 499 (H.B. 4279), Acts of the 87th  
21 Legislature, Regular Session, 2021, is reenacted and amended to  
22 read as follows:

23 Sec. 134.007. GRANTS AWARDED TO SCHOOL DISTRICT OR  
24 OPEN-ENROLLMENT CHARTER SCHOOL. The commission may award a grant  
25 under this chapter to:

26 (1) an independent [a] school district or  
27 open-enrollment charter school [~~under this chapter~~] if the

1 district[+]

2 [~~(1) is an independent school district and~~] or school  
3 has entered into a partnership with a public junior college, public  
4 technical institute, or public state college for the purpose of:

5 (A) promoting career and technical education to  
6 the district's or school's students; or

7 (B) offering dual credit courses to the  
8 district's or school's students; or

9 (2) the Windham School District.

10 SECTION 6.016. Section [1001.108\(b\)](#), Education Code, is  
11 amended to correct a reference to read as follows:

12 (b) The curriculum must include information about each  
13 matter listed in Section [692A.020\(k\)](#) [~~49.001(a)~~], Health and Safety  
14 Code.

15 ARTICLE 7. CHANGES RELATING TO ELECTION CODE

16 SECTION 7.001. Sections [13.004\(d\)](#) and (e), Election Code,  
17 are amended to conform to Chapter 711 (H.B. 3107), Acts of the 87th  
18 Legislature, Regular Session, 2021, to read as follows:

19 (d) The voter registrar or other county official who has  
20 access to the information furnished on a registration application  
21 may not post the following information on a website:

22 (1) a telephone number;

23 (2) a social security number;

24 (3) a driver's license number or a number of a personal  
25 identification card;

26 (4) a date of birth; or

27 (5) the residence address of a voter who submits



1 documentation under Subsection (c)(4), (5) [~~(c)(5)~~], (6), or (7) [~~or~~  
2 ~~(8)~~] to the voter registrar or regarding whom the registrar has  
3 received notification under Section 15.0215.

4 (e) Documentation submitted under Subsection (c)(4), (5)  
5 [~~(c)(5)~~], (6), or (7) [~~or~~ (8)] shall be retained on file with the  
6 voter registration application.

7 SECTION 7.002. Section 87.121, Election Code, as reenacted  
8 and amended by Chapters 66 (H.B. 1622) and 317 (H.B. 1382), Acts of  
9 the 87th Legislature, Regular Session, 2021, is reenacted and  
10 amended to read as follows:

11 Sec. 87.121. EARLY VOTING ROSTERS. (a) The early voting  
12 clerk shall maintain for each election a roster listing each person  
13 who votes an early voting ballot by personal appearance and a roster  
14 listing each person to whom an early voting ballot to be voted by  
15 mail is sent.

16 (b) For each person listed, the applicable roster must  
17 include:

18 (1) the person's name, address, and voter registration  
19 number;

20 (2) an identification of the person's county election  
21 precinct of registration; and

22 (3) the date of voting or the date the ballot was  
23 mailed to the person, as applicable.

24 (c) Each roster shall be updated daily.

25 (d) Each roster may be maintained in any form approved by  
26 the secretary of state.

27 (e) The clerk shall preserve each roster after the election

1 for the period for preserving the precinct election records.

2 (f) Information on the roster for a person to whom an early  
3 voting mail ballot has been sent is not available for public  
4 inspection, except to the voter seeking to verify that the  
5 information pertaining to the voter is accurate, until the first  
6 business day after election day.

7 (g) Information on the roster for a person who votes an  
8 early voting ballot by personal appearance shall be made available  
9 for public inspection as provided by Subsection (i) not later than  
10 11 a.m. on the day after the date the information is entered on the  
11 roster under Subsection (c).

12 (h) Information on the roster for a person who votes an  
13 early voting ballot by mail shall be made available for public  
14 inspection as provided by Subsection (i) not later than 11 a.m. on  
15 the day following the day the early voting clerk receives any ballot  
16 voted by mail.

17 (i) The information under Subsections (g) and (h) must be  
18 made available:

19 (1) for an election in which the county clerk is the  
20 early voting clerk:

21 (A) on the publicly accessible Internet website  
22 of the county; or

23 (B) if the county does not maintain a website, on  
24 the bulletin board used for posting notice of meetings of the  
25 commissioners court; or

26 (2) for an election not described by Subdivision (1):

27 (A) on the publicly accessible Internet website

1 of the authority ordering the election; or

2 (B) if the authority ordering the election does  
3 not maintain a website, on the bulletin board used for posting  
4 notice of meetings of the governing body of the authority.

5 (j) The early voting clerk for a primary election or the  
6 general election for state and county officers shall submit to the  
7 secretary of state for posting on the secretary of state's Internet  
8 website the information described by:

9 (1) Subsection (g) not later than 11 a.m. on the day  
10 after the date the information is entered on the roster under  
11 Subsection (c); and

12 (2) Subsection (h) not later than 11 a.m. on the day  
13 following the day the early voting clerk receives any ballot voted  
14 by mail.

15 (k) The early voting clerk for a primary election or the  
16 general election for state and county officers shall submit to the  
17 secretary of state for posting on the secretary of state's Internet  
18 website the election day information described by Subsections (g)  
19 and (h) not later than 11 a.m. on the day after the election.

20 (l) The early voting clerk for a primary election or the  
21 general election for state and county officers shall submit to the  
22 secretary of state for posting on the secretary of state's Internet  
23 website the final rosters containing information described by  
24 Subsections (g) and (h) not later than the 20th day after the date  
25 of the local canvass.

26 (m) [~~(k)~~] The secretary of state shall post the information  
27 described by Subsection (j) on the secretary of state's Internet

1 website in a downloadable format not later than 11 a.m. on the day  
2 following the day of receipt of the information.

3       (n) [~~(l)~~] The secretary of state shall create a system for  
4 an early voting clerk for a primary election or the general election  
5 for state and county officers to provide the information to the  
6 secretary of state for posting on the secretary of state's Internet  
7 website under Subsection (j).

8       (o) [~~(m)~~] A person registered to vote in the county where  
9 the early voting clerk is conducting early voting may submit a  
10 complaint to the secretary of state stating that an early voting  
11 clerk has not complied with this section.

12       (p) [~~(n)~~] The secretary of state by rule shall create and  
13 maintain a system for receiving and recording complaints made under  
14 this section.

15       (q) [~~(o)~~] The secretary of state shall maintain a record  
16 indicating early voting clerks who have failed to comply with the  
17 requirements of this section.

18                   ARTICLE 8. CHANGES RELATING TO FAMILY CODE

19       SECTION 8.001. Section 54.047(f), Family Code, as amended  
20 by Section 13, Chapter 948 (S.B. 1480), Acts of the 87th  
21 Legislature, Regular Session, 2021, is repealed to conform to the  
22 repeal of Section 54.047(f), Family Code, by Section 5.01(b)(5),  
23 Chapter 472 (S.B. 41), Acts of the 87th Legislature, Regular  
24 Session, 2021.

25       SECTION 8.002. Section 161.001(c), Family Code, as amended  
26 by Chapters 8 (H.B. 567) and 29 (H.B. 2536), Acts of the 87th  
27 Legislature, Regular Session, 2021, is reenacted and amended to

1 read as follows:

2 (c) Evidence of one or more of the following does not  
3 constitute clear and convincing evidence sufficient for a court to  
4 make a finding under Subsection (b) and order termination of the  
5 parent-child relationship:

6 (1) the parent homeschooled the child;

7 (2) the parent is economically disadvantaged;

8 (3) the parent has been charged with a nonviolent  
9 misdemeanor offense other than:

10 (A) an offense under Title 5, Penal Code;

11 (B) an offense under Title 6, Penal Code; or

12 (C) an offense that involves family violence, as  
13 defined by Section 71.004 of this code;

14 (4) the parent provided or administered low-THC  
15 cannabis to a child for whom the low-THC cannabis was prescribed  
16 under Chapter 169, Occupations Code;

17 (5) the parent declined immunization for the child for  
18 reasons of conscience, including a religious belief; ~~or~~

19 (6) the parent sought an opinion from more than one  
20 medical provider relating to the child's medical care, transferred  
21 the child's medical care to a new medical provider, or transferred  
22 the child to another health care facility; or

23 (7) ~~(6)~~ the parent allowed the child to engage in  
24 independent activities that are appropriate and typical for the  
25 child's level of maturity, physical condition, developmental  
26 abilities, or culture.

27 SECTION 8.003. Section 261.001(4), Family Code, as amended

1 by Chapters 8 (H.B. 567) and 29 (H.B. 2536), Acts of the 87th  
2 Legislature, Regular Session, 2021, is reenacted and amended to  
3 read as follows:

4 (4) "Neglect" means an act or failure to act by a  
5 person responsible for a child's care, custody, or welfare  
6 evidencing the person's blatant disregard for the consequences of  
7 the act or failure to act that results in harm to the child or that  
8 creates an immediate danger to the child's physical health or  
9 safety and:

10 (A) includes:

11 (i) the leaving of a child in a situation  
12 where the child would be exposed to an immediate danger of physical  
13 or mental harm, without arranging for necessary care for the child,  
14 and the demonstration of an intent not to return by a parent,  
15 guardian, or managing or possessory conservator of the child;

16 (ii) the following acts or omissions by a  
17 person:

18 (a) placing a child in or failing to  
19 remove a child from a situation that a reasonable person would  
20 realize requires judgment or actions beyond the child's level of  
21 maturity, physical condition, or mental abilities and that results  
22 in bodily injury or an immediate danger of harm to the child;

23 (b) failing to seek, obtain, or follow  
24 through with medical care for a child, with the failure resulting in  
25 or presenting an immediate danger of death, disfigurement, or  
26 bodily injury or with the failure resulting in an observable and  
27 material impairment to the growth, development, or functioning of

1 the child;

2 (c) the failure to provide a child  
3 with food, clothing, or shelter necessary to sustain the life or  
4 health of the child, excluding failure caused primarily by  
5 financial inability unless relief services had been offered and  
6 refused;

7 (d) placing a child in or failing to  
8 remove the child from a situation in which the child would be  
9 exposed to an immediate danger of sexual conduct harmful to the  
10 child; or

11 (e) placing a child in or failing to  
12 remove the child from a situation in which the child would be  
13 exposed to acts or omissions that constitute abuse under  
14 Subdivision (1)(E), (F), (G), (H), or (K) committed against another  
15 child;

16 (iii) the failure by the person responsible  
17 for a child's care, custody, or welfare to permit the child to  
18 return to the child's home without arranging for the necessary care  
19 for the child after the child has been absent from the home for any  
20 reason, including having been in residential placement or having  
21 run away; or

22 (iv) a negligent act or omission by an  
23 employee, volunteer, or other individual working under the auspices  
24 of a facility or program, including failure to comply with an  
25 individual treatment plan, plan of care, or individualized service  
26 plan, that causes or may cause substantial emotional harm or  
27 physical injury to, or the death of, a child served by the facility

1 or program as further described by rule or policy; and

2 (B) does not include:

3 (i) the refusal by a person responsible for  
4 a child's care, custody, or welfare to permit the child to remain in  
5 or return to the child's home resulting in the placement of the  
6 child in the conservatorship of the department if:

7 (a) the child has a severe emotional  
8 disturbance;

9 (b) the person's refusal is based  
10 solely on the person's inability to obtain mental health services  
11 necessary to protect the safety and well-being of the child; and

12 (c) the person has exhausted all  
13 reasonable means available to the person to obtain the mental  
14 health services described by Sub-subparagraph (b); ~~or~~

15 (ii) allowing the child to engage in  
16 independent activities that are appropriate and typical for the  
17 child's level of maturity, physical condition, developmental  
18 abilities, or culture; or

19 (iii) [~~(ii)~~] a decision by a person  
20 responsible for a child's care, custody, or welfare to:

21 (a) obtain an opinion from more than  
22 one medical provider relating to the child's medical care;

23 (b) transfer the child's medical care  
24 to a new medical provider; or

25 (c) transfer the child to another  
26 health care facility.

27 SECTION 8.004. Section 262.116(a), Family Code, as amended



1 by Chapters 8 (H.B. 567) and 29 (H.B. 2536), Acts of the 87th  
2 Legislature, Regular Session, 2021, is reenacted and amended to  
3 read as follows:

4 (a) The Department of Family and Protective Services may not  
5 take possession of a child under this subchapter based on evidence  
6 that the parent:

7 (1) homeschooled the child;

8 (2) is economically disadvantaged;

9 (3) has been charged with a nonviolent misdemeanor  
10 offense other than:

11 (A) an offense under Title 5, Penal Code;

12 (B) an offense under Title 6, Penal Code; or

13 (C) an offense that involves family violence, as  
14 defined by Section 71.004 of this code;

15 (4) provided or administered low-THC cannabis to a  
16 child for whom the low-THC cannabis was prescribed under Chapter  
17 169, Occupations Code;

18 (5) declined immunization for the child for reasons of  
19 conscience, including a religious belief; ~~[or]~~

20 (6) sought an opinion from more than one medical  
21 provider relating to the child's medical care, transferred the  
22 child's medical care to a new medical provider, or transferred the  
23 child to another health care facility;

24 (7) ~~[(6)]~~ allowed the child to engage in independent  
25 activities that are appropriate and typical for the child's level  
26 of maturity, physical condition, developmental abilities, or  
27 culture; or

1           (8) [~~7~~] tested positive for marihuana, unless the  
2 department has evidence that the parent's use of marihuana has  
3 caused significant impairment to the child's physical or mental  
4 health or emotional development.

5           ARTICLE 9. CHANGES RELATING TO FINANCE CODE

6           SECTION 9.001. Section 31.002(a)(15), Finance Code, is  
7 amended to correct a reference to read as follows:

8           (15) "Deposit" means the establishment of a  
9 debtor-creditor relationship represented by the agreement of the  
10 deposit debtor to act as a holding, paying, or disbursing agent for  
11 the deposit creditor. The term:

12                   (A) includes:

13                           (i) an unpaid balance of money that is  
14 received by the deposit debtor in the usual course of business in  
15 exchange for conditional or unconditional credit to a commercial,  
16 checking, savings, or time account of the deposit creditor or the  
17 creditor's designee, or that is evidenced by a certificate of  
18 deposit or similar instrument, a certified check or draft drawn  
19 against a deposit account, or a letter of credit or traveler's check  
20 on which the deposit debtor is primarily liable, but excluding an  
21 obligation arising under Chapter 151 [~~152~~];

22                           (ii) money or credit given for money  
23 received by the deposit debtor in the usual course of business for a  
24 special purpose, including money:

25                                   (a) held as escrow money, as security  
26 for an obligation due to the deposit debtor or another person, or as  
27 security for a loan;

1 (b) left with a deposit debtor by a  
2 deposit creditor to meet maturing obligations that are not yet due;  
3 and

4 (c) held by the deposit debtor to meet  
5 an acceptance or letter of credit;

6 (iii) an outstanding draft, cashier's  
7 check, money order, or other officer's check issued by the deposit  
8 debtor in the usual course of business for any purpose, including  
9 payment for services, dividends, or purchases; and

10 (iv) an obligation that the finance  
11 commission by rule defines as a deposit liability, except that the  
12 term may not include money received for immediate application to  
13 reduction of an indebtedness; and

14 (B) does not include an obligation that this  
15 subtitle or finance commission rule determines not to be a deposit  
16 liability.

17 SECTION 9.002. Sections 59.011(a) and (c), Finance Code,  
18 are amended to conform to the expiration of Title 16, Property Code,  
19 on September 1, 2009, to read as follows:

20 (a) For purposes of Chapter 27, Property Code, [~~and Title~~  
21 ~~16, Property Code,~~] a federally insured financial institution  
22 regulated under this code is not a builder.

23 (c) A builder hired by a lender to complete the construction  
24 of a foreclosed home is not liable for any construction defects of  
25 which the builder had no knowledge that existed prior to the  
26 acquisition of the home by the lender, but the builder is subject to  
27 Chapter 27, Property Code, [~~and Title 16, Property Code,~~] for work

1 performed for the lender subsequent to the acquisition of the home  
2 by the lender.

3 ARTICLE 10. CHANGES RELATING TO GOVERNMENT CODE

4 SECTION 10.001. The heading to Subchapter H, Chapter 51,  
5 Government Code, is repealed to conform to the repeal of Sections  
6 51.702, 51.703, 51.704, 51.705, 51.706, 51.707, 51.708, 51.709,  
7 51.710, 51.711, and 51.713, Government Code, by Chapter 472  
8 (S.B. 41), Acts of the 87th Legislature, Regular Session, 2021.

9 SECTION 10.002. Section 402.0351(b), Government Code, as  
10 amended by Chapters 280 (H.B. 3721) and 1049 (S.B. 1831), Acts of  
11 the 87th Legislature, Regular Session, 2021, is reenacted to read  
12 as follows:

13 (b) The attorney general by rule shall prescribe the design  
14 and content of a sign required to be posted under this section. The  
15 sign must:

16 (1) contain information regarding services and  
17 assistance available to victims of human trafficking;

18 (2) be in English, Spanish, and any other language  
19 determined appropriate by the attorney general in consultation with  
20 the council; and

21 (3) include:

22 (A) a toll-free telephone number and Internet  
23 website for accessing human trafficking resources;

24 (B) the contact information for reporting  
25 suspicious activity to the Department of Public Safety; and

26 (C) the key indicators that a person is a victim  
27 of human trafficking.

1 SECTION 10.003. Section [411.179](#)(a), Government Code, as  
2 amended by Chapters 203 (H.B. 918), 383 (S.B. 1134), and 821 (H.B.  
3 2675), Acts of the 87th Legislature, Regular Session, 2021, is  
4 reenacted and amended to read as follows:

5 (a) The department by rule shall adopt the form of the  
6 license. A license must include:

7 (1) a number assigned to the license holder by the  
8 department;

9 (2) a statement of the period for which the license is  
10 effective;

11 (3) a photograph of the license holder;

12 (4) the license holder's full name, date of birth, hair  
13 and eye color, height, weight, and signature;

14 (5) the license holder's residence address or, as  
15 provided by Subsection (d), the street address of the courthouse in  
16 which the license holder or license holder's spouse or parent  
17 serves as a federal judge or the license holder serves as a state  
18 judge;

19 (6) the number of a driver's license or an  
20 identification certificate issued to the license holder by the  
21 department;

22 (7) the designation "VETERAN" if required under  
23 Subsection (e); ~~and~~

24 (8) any at-risk designation for which the license  
25 holder has established eligibility under Section [411.184](#); and

26 (9) ~~(8)~~ if applicable, a protective order  
27 designation under Section [411.1735](#).

1 SECTION 10.004. Section 478.0001(3), Government Code, as  
2 amended by Chapters 10 (H.B. 1472), 102 (S.B. 1265), 605 (S.B.  
3 1155), and 915 (H.B. 3607), Acts of the 87th Legislature, Regular  
4 Session, 2021, is reenacted and amended to read as follows:

5 (3) "Event" means any of the following and includes  
6 any activity related to or associated with the following:

7 (A) the Academy of Country Music Awards;

8 (B) the Amateur Athletic Union Junior Olympic  
9 Games;

10 (C) a Big 12 Football Conference Championship  
11 game;

12 (D) the Breeders' Cup World Championships;

13 (E) a game of the College Football Playoff or its  
14 successor;

15 (F) the Confederation of North, Central America  
16 and Caribbean Association Football (Concacaf) Gold Cup;

17 (G) [~~(F)~~] a CONVRG conference;

18 (H) [~~(G)~~] an Elite Rodeo Association World  
19 Championship;

20 (I) [~~(H)~~] a Formula One automobile race;

21 (J) [~~(I)~~] the largest event held each year at a  
22 sports entertainment venue in this state with a permanent seating  
23 capacity, including grandstand and premium seating, of at least  
24 125,000 on September 1, 2021;

25 (K) [~~(J)~~] the Major League Baseball All-Star  
26 Game;

27 (L) [~~(K)~~] the Major League Soccer All-Star Game

1 or the Major League Soccer Cup;

2                   (M) [~~(L)~~] a mixed martial arts championship;

3                   (N) [~~(M)~~] the Moto Grand Prix of the United  
4 States;

5                   (O) [~~(N)~~] the National Association for Stock Car  
6 Auto Racing (NASCAR):

7                   (i) All-Star Race;

8                   (ii) season-ending Championship Race; or

9                   (iii) Texas Grand Prix race;

10                  (P) [~~(O)~~] the National Basketball Association  
11 All-Star Game;

12                  (Q) [~~(P)~~] a National Collegiate Athletic  
13 Association Final Four tournament game;

14                  (R) [~~(Q)~~] the National Collegiate Athletic  
15 Association men's or women's lacrosse championships;

16                  (S) [~~(R)~~] a national collegiate championship of  
17 an amateur sport sanctioned by the national governing body of the  
18 sport that is recognized by the United States Olympic Committee;

19                  (T) [~~(S)~~] the National Cutting Horse Association  
20 Triple Crown;

21                  (U) [~~(T)~~] the National Hockey League All-Star  
22 Game;

23                  (V) the National Hot Rod Association Fall  
24 Nationals at the Texas Motorplex;

25                  (W) [~~(U)~~] a national political convention of the  
26 Republican National Committee or the Democratic National  
27 Committee;

1                    (X) [~~(V)~~] a championship event in the National  
2 Reined Cow Horse Association (NRCHA) Championship Series;

3                    (Y) [~~(W)~~] an Olympic activity, including a  
4 Junior or Senior activity, training program, or feeder program  
5 sanctioned by the United States Olympic Committee's Community  
6 Olympic Development Program;

7                    (Z) [~~(X)~~] a presidential general election  
8 debate;

9                    (AA) [~~(Y)~~] the Professional Rodeo Cowboys  
10 Association National Finals Rodeo;

11                   (BB) [~~(Z)~~] a Super Bowl;

12                   (CC) [~~(AA)~~] the United States Open Championship;

13                   (DD) [~~(BB)~~] a World Cup soccer game or the World  
14 Cup soccer tournament;

15                   (EE) [~~(CC)~~] the World Games;

16                   (FF) [~~(DD)~~] a World Wrestling Entertainment  
17 WrestleMania event; or

18                   (GG) [~~(EE)~~] the X Games.

19                   SECTION 10.005. Section [478.0001\(7\)](#), Government Code, as  
20 amended by Chapters 10 (H.B. 1472), 102 (S.B. 1265), and 915 (H.B.  
21 3607), Acts of the 87th Legislature, Regular Session, 2021, is  
22 reenacted and amended to read as follows:

23                   (7) "Site selection organization" means:

24                   (A) the Academy of Country Music;

25                   (B) the Amateur Athletic Union;

26                   (C) the Big 12 Conference;

27                   (D) the College Football Playoff Administration,



1 LLC, or its successor;

2           (E) the Commission on Presidential Debates;

3           (F) the Confederation of North, Central America  
4 and Caribbean Association Football (Concacaf);

5           (G) [~~(F)~~] the Democratic National Committee;

6           (H) [~~(G)~~] Dorna Sports;

7           (I) [~~(H)~~] the Elite Rodeo Association;

8           (J) [~~(I)~~] Encore Live;

9           (K) [~~(J)~~] ESPN or an affiliate;

10           (L) [~~(K)~~] the Federation Internationale de  
11 Football Association (FIFA);

12           (M) [~~(L)~~] the International World Games  
13 Association;

14           (N) [~~(M)~~] Major League Baseball;

15           (O) [~~(N)~~] Major League Soccer;

16           (P) [~~(O)~~] the National Association for Stock Car  
17 Auto Racing (NASCAR);

18           (Q) [~~(P)~~] the National Basketball Association;

19           (R) [~~(Q)~~] the National Collegiate Athletic  
20 Association;

21           (S) [~~(R)~~] the National Cutting Horse  
22 Association;

23           (T) [~~(S)~~] the National Football League;

24           (U) [~~(T)~~] the National Hockey League;

25           (V) the National Hot Rod Association;

26           (W) [~~(U)~~] the National Reined Cow Horse  
27 Association (NRCHA);

1                    (X) [~~(V)~~] the Professional Rodeo Cowboys  
2 Association;  
3                    (Y) [~~(W)~~] the Republican National Committee;  
4                    (Z) [~~(X)~~] the Ultimate Fighting Championship;  
5                    (AA) [~~(Y)~~] the United States Golf Association;  
6                    (BB) [~~(Z)~~] the United States Olympic Committee;  
7                    (CC) [~~(AA)~~] World Wrestling Entertainment; or  
8                    (DD) [~~(BB)~~] the national governing body of a  
9 sport that is recognized by:

- 10                    (i) the Federation Internationale de  
11 l'Automobile;  
12                    (ii) Formula One Management Limited;  
13                    (iii) the National Thoroughbred Racing  
14 Association; or  
15                    (iv) the United States Olympic Committee.

16                    SECTION 10.006. Section 478.0053, Government Code, as  
17 amended by Chapter 10 (H.B. 1472), Acts of the 87th Legislature,  
18 Regular Session, 2021, is amended to conform to the amendment of  
19 Section 478.0001(3), Government Code, by Chapter 915 (H.B. 3607),  
20 Acts of the 87th Legislature, Regular Session, 2021, to read as  
21 follows:

22                    Sec. 478.0053. EXEMPTION FROM CERTAIN ELIGIBILITY  
23 REQUIREMENT FOR CERTAIN LARGE VENUES. Section 478.0051(b)(1) does  
24 not apply to an event described by Section 478.0001(3)(J)  
25 [~~478.0001(3)(H)~~]. If an endorsing municipality or endorsing county  
26 requests the office to make a determination under Section 478.0102  
27 for an event described by Section 478.0001(3)(J) [~~478.0001(3)(H)~~],

1 the remaining provisions of this chapter apply to that event as if  
2 the event satisfied the eligibility requirements under Section  
3 [478.0051](#)(b)(1).

4 SECTION 10.007. Section [508.151](#)(a), Government Code, is  
5 amended to conform to the amendment of Article [42A.054](#)(a), Code of  
6 Criminal Procedure, by Chapter 1137 (H.B. 2758), Acts of the 86th  
7 Legislature, Regular Session, 2019, to read as follows:

8 (a) For the purpose of diverting inmates to halfway houses  
9 under Section 508.118, a parole panel, after reviewing all  
10 available pertinent information, may designate a presumptive  
11 parole date for an inmate who:

12 (1) has never been convicted of an offense listed  
13 under Article [42A.054](#)(a), Code of Criminal Procedure, or an offense  
14 under Section [~~[20A.03](#)~~ or] [21.02](#), Penal Code; and

15 (2) has never had a conviction with a judgment that  
16 contains an affirmative finding under Article [42A.054](#)(c) or (d),  
17 Code of Criminal Procedure.

18 SECTION 10.008. Section [2273.004](#)(a), Government Code, is  
19 amended to correct a reference to read as follows:

20 (a) The attorney general may bring an action in the name of  
21 the state to enjoin a violation of Section [2273.003](#) [~~[2272.003](#)~~]. The  
22 attorney general may recover reasonable attorney's fees and costs  
23 incurred in bringing an action under this subsection.

24 ARTICLE 11. CHANGES RELATING TO HEALTH AND SAFETY CODE

25 SECTION 11.001. Section [62.1571](#), Health and Safety Code, as  
26 amended by Chapters 624 (H.B. 4) and 811 (H.B. 2056), Acts of the  
27 87th Legislature, Regular Session, 2021, is reenacted and amended

1 to read as follows:

2           Sec. 62.1571. TELEMEDICINE       MEDICAL       SERVICES,    [~~AND~~]  
3 TELEDENTISTRY DENTAL SERVICES,    AND TELEHEALTH SERVICES. (a) In  
4 providing covered benefits to a child, a health plan provider must  
5 permit benefits to be provided through telemedicine medical  
6 services,    [~~and~~] teledentistry dental services,    and telehealth  
7 services in accordance with policies developed by the commission.

8           (b) The policies must provide for:

9           (1) the availability of covered benefits  
10 appropriately provided through telemedicine medical services,     
11 [~~and~~] teledentistry dental services,    and [~~or~~] telehealth services  
12 that are comparable to the same types of covered benefits provided  
13 without the use of telemedicine medical services,    [~~and~~]  
14 teledentistry dental services,    and [~~or~~] telehealth services; and

15           (2) the availability of covered benefits for different  
16 services performed by multiple health care providers during a  
17 single session of telemedicine medical services, teledentistry  
18 dental services, or both services, or of telehealth services,    if  
19 the executive commissioner determines that delivery of the covered  
20 benefits in that manner is cost-effective in comparison to the  
21 costs that would be involved in obtaining the services from  
22 providers without the use of telemedicine medical services,    [~~or~~]  
23 teledentistry dental services,    or telehealth services, including  
24 the costs of transportation and lodging and other direct costs.

25           (c) In this section, "teledentistry dental service,   " [~~and~~]  
26 "telehealth service,   " and "telemedicine medical service" have the  
27 meanings assigned by Section [531.001](#), Government Code.

1 SECTION 11.002. Sections 481.134(b) and (c), Health and  
2 Safety Code, as amended by Chapters 584 (S.B. 768) and 807 (H.B.  
3 1540), Acts of the 87th Legislature, Regular Session, 2021, are  
4 reenacted to read as follows:

5 (b) An offense otherwise punishable as a state jail felony  
6 under Section 481.112, 481.1121, 481.1123, 481.113, 481.114, or  
7 481.120 is punishable as a felony of the third degree, an offense  
8 otherwise punishable as a felony of the third degree under any of  
9 those sections is punishable as a felony of the second degree, and  
10 an offense otherwise punishable as a felony of the second degree  
11 under any of those sections is punishable as a felony of the first  
12 degree, if it is shown at the punishment phase of the trial of the  
13 offense that the offense was committed:

14 (1) in, on, or within 1,000 feet of premises owned,  
15 rented, or leased by an institution of higher learning, the  
16 premises of a public or private youth center, or a playground;

17 (2) in, on, or within 300 feet of the premises of a  
18 public swimming pool or video arcade facility; or

19 (3) by any unauthorized person 18 years of age or  
20 older, in, on, or within 1,000 feet of premises owned, rented, or  
21 leased by a general residential operation operating as a  
22 residential treatment center.

23 (c) The minimum term of confinement or imprisonment for an  
24 offense otherwise punishable under Section 481.112(c), (d), (e), or  
25 (f), 481.1121(b)(2), (3), or (4), 481.1123(c), (d), (e), or (f),  
26 481.113(c), (d), or (e), 481.114(c), (d), or (e), 481.115(c)-(f),  
27 481.1151(b)(2), (3), (4), or (5), 481.116(c), (d), or (e),

1 481.1161(b)(4), (5), or (6), 481.117(c), (d), or (e), 481.118(c),  
2 (d), or (e), 481.120(b)(4), (5), or (6), or 481.121(b)(4), (5), or  
3 (6) is increased by five years and the maximum fine for the offense  
4 is doubled if it is shown on the trial of the offense that the  
5 offense was committed:

6 (1) in, on, or within 1,000 feet of the premises of a  
7 school, the premises of a public or private youth center, or a  
8 playground;

9 (2) on a school bus; or

10 (3) by any unauthorized person 18 years of age or  
11 older, in, on, or within 1,000 feet of premises owned, rented, or  
12 leased by a general residential operation operating as a  
13 residential treatment center.

14 SECTION 11.003. Section 692A.020(i), Health and Safety  
15 Code, is amended to correct a typographical error to read as  
16 follows:

17 (i) The Glenda Dawson Donate Life-Texas Registry fund is  
18 created as a trust fund outside the state treasury to be held by the  
19 comptroller and administered by the Department of Public Safety as  
20 trustee on behalf of the statewide donor registry maintained for  
21 the benefit of the citizens of this state. The fund is composed of  
22 money deposited to the credit of the fund under Sections  
23 502.405(b), 521.008, and 521.422(c), Transportation Code, as  
24 provided by those sections [~~subsections~~]. Money in the fund shall  
25 be disbursed at least monthly, without appropriation, to the  
26 nonprofit organization administering the registry to pay the costs  
27 of:

1           (1) maintaining, operating, and updating the  
2 Internet-based registry and establishing procedures for an  
3 individual to be added to the registry;

4           (2) designing and distributing educational materials  
5 for prospective donors as required under this section; and

6           (3) providing education under this chapter.

7           SECTION 11.004. Section 711.002(a), Health and Safety Code,  
8 is amended to correct a reference to read as follows:

9           (a) Except as provided by Subsection (1), unless a decedent  
10 has left directions in writing for the disposition of the  
11 decedent's remains as provided in Subsection (g), the following  
12 persons, in the priority listed, have the right to control the  
13 disposition, including cremation, of the decedent's remains, shall  
14 inter the remains, and in accordance with Subsection (a-3) [~~(a-1)~~]  
15 are liable for the reasonable cost of interment:

16           (1) the person designated in a written instrument  
17 signed by the decedent;

18           (2) the decedent's surviving spouse;

19           (3) any one of the decedent's surviving adult  
20 children;

21           (4) either one of the decedent's surviving parents;

22           (5) any one of the decedent's surviving adult  
23 siblings;

24           (6) any one or more of the duly qualified executors or  
25 administrators of the decedent's estate; or

26           (7) any adult person in the next degree of kinship in  
27 the order named by law to inherit the estate of the decedent.

1 SECTION 11.005. Section 771.060, Health and Safety Code, is  
2 amended to correct a reference to read as follows:

3 Sec. 771.060. BUSINESS PROVIDING RESIDENTIAL TELEPHONE  
4 SWITCHES. A business service user that provides residential  
5 facilities and owns or leases a private telephone switch used to  
6 provide telephone service to facility residents shall provide to  
7 those residential end users the same level of 9-1-1 service that a  
8 service supplier is providing to other residential end users in the  
9 area participating in the regional plan under Section 771.051(a)(2)  
10 [~~771.051(2)~~].

11 ARTICLE 12. CHANGES RELATING TO HUMAN RESOURCES CODE

12 SECTION 12.001. Section 42.048(e), Human Resources Code, as  
13 amended by Chapters 37 (S.B. 863) and 547 (S.B. 225), Acts of the  
14 87th Legislature, Regular Session, 2021, is reenacted to read as  
15 follows:

16 (e) A license issued under this chapter is not transferable  
17 and applies only to the operator stated in the license application.  
18 A change in ownership automatically revokes a license.

19 ARTICLE 13. CHANGES RELATING TO INSURANCE CODE

20 SECTION 13.001. The heading to Subchapter C, Chapter 1109,  
21 Insurance Code, is repealed to conform to the repeal of Section  
22 1109.101, Insurance Code, by Section 18(2), Chapter 52 (H.B. 1514),  
23 Acts of the 87th Legislature, Regular Session, 2021.

24 ARTICLE 14. CHANGES RELATING TO LABOR CODE

25 SECTION 14.001. Section 51.016(h), Labor Code, as amended  
26 by Chapters 79 (S.B. 315) and 942 (S.B. 766), Acts of the 87th  
27 Legislature, Regular Session, 2021, is reenacted to read as



1 follows:

2 (h) The commission, the attorney general, or a law  
3 enforcement agency may inspect a record maintained under this  
4 section and request proof of E-verify program information  
5 verification if there is good reason to believe that an individual  
6 younger than 21 years of age is employed or has been employed by, or  
7 has entered into a contract, other than a contract described by  
8 Subsection (g), for the performance of work or the provision of a  
9 service with, the sexually oriented business within the five years  
10 preceding the date of the inspection.

11 ARTICLE 15. CHANGES RELATING TO NATURAL RESOURCES CODE

12 SECTION 15.001. Section 51.131(a), Natural Resources Code,  
13 is amended to correct a reference to read as follows:

14 (a) For each lease issued under this subchapter for  
15 agricultural or grazing purposes, the commissioner may require the  
16 lessee to implement a soil and water conservation plan approved by  
17 the commissioner. The commissioner, in reviewing a plan, and the  
18 lessee, in implementing a plan, may be assisted by the United States  
19 Department of Agriculture Natural Resources Conservation Service.

20 SECTION 15.002. Section 81.073, Natural Resources Code, as  
21 added by Chapter 931 (H.B. 3648), Acts of the 87th Legislature,  
22 Regular Session, 2021, is repealed as duplicative of Section  
23 81.073, Natural Resources Code, as added by Chapter 426 (S.B. 3),  
24 Acts of the 87th Legislature, Regular Session, 2021.

25 ARTICLE 16. CHANGES RELATING TO OCCUPATIONS CODE

26 SECTION 16.001. Section 51.002, Occupations Code, as  
27 amended by Chapters 663 (H.B. 1560) and 850 (S.B. 713), Acts of the

1 87th Legislature, Regular Session, 2021, is reenacted to read as  
2 follows:

3           Sec. 51.002. APPLICATION OF SUNSET ACT.       The Texas  
4 Commission of Licensing and Regulation and the Texas Department of  
5 Licensing and Regulation are subject to Chapter 325, Government  
6 Code (Texas Sunset Act). Unless continued in existence as provided  
7 by that chapter, the commission and the department are abolished  
8 September 1, 2033.

9           SECTION 16.002. Section 568.003(a), Occupations Code, is  
10 amended to correct cross-references to conform to Chapter 1463  
11 (H.B. 2950), Acts of the 77th Legislature, Regular Session, 2001,  
12 to read as follows:

13           (a) The board may take disciplinary action under Section  
14 568.0035 against an applicant for or the holder of a current or  
15 expired pharmacy technician or pharmacy technician trainee  
16 registration if the board determines that the applicant or  
17 registrant has:

18                   (1) violated this subtitle or a rule adopted under  
19 this subtitle;

20                   (2) engaged in gross immorality, as that term is  
21 defined by the rules of the board;

22                   (3) engaged in any fraud, deceit, or  
23 misrepresentation, as those terms are defined by the rules of the  
24 board, in seeking a registration to act as a pharmacy technician or  
25 pharmacy technician trainee;

26                   (4) been convicted of or placed on deferred  
27 adjudication community supervision or deferred disposition or the

1 applicable federal equivalent for:

2 (A) a misdemeanor:

3 (i) involving moral turpitude; or

4 (ii) under Chapter 481 or 483, Health and  
5 Safety Code, or the Comprehensive Drug Abuse Prevention and Control  
6 Act of 1970 (21 U.S.C. Section 801 et seq.); or

7 (B) a felony;

8 (5) developed an incapacity that prevents the  
9 applicant or registrant from practicing as a pharmacy technician or  
10 pharmacy technician trainee with reasonable skill, competence, and  
11 safety to the public;

12 (6) violated:

13 (A) Chapter 481 or 483, Health and Safety Code,  
14 or rules relating to those chapters;

15 (B) Sections 485.031-485.034 [~~485.031-485.035~~],  
16 Health and Safety Code; or

17 (C) a rule adopted under Section 485.002  
18 [~~485.011~~], Health and Safety Code;

19 (7) violated the pharmacy or drug laws or rules of this  
20 state, another state, or the United States;

21 (8) performed duties in a pharmacy that only a  
22 pharmacist may perform, as defined by the rules of the board;

23 (9) used alcohol or drugs in an intemperate manner  
24 that, in the board's opinion, could endanger a patient's life;

25 (10) engaged in negligent, unreasonable, or  
26 inappropriate conduct when working in a pharmacy;

27 (11) violated a disciplinary order;

1           (12) been convicted or adjudicated of a criminal  
2 offense that requires registration as a sex offender under Chapter  
3 62, Code of Criminal Procedure; or

4           (13) been disciplined by a pharmacy or other health  
5 regulatory board of this state or another state for conduct  
6 substantially equivalent to conduct described by this subsection.

7           SECTION 16.003. The heading to Subchapter K, Chapter 701,  
8 Occupations Code, is repealed to conform to the repeal of Section  
9 701.512, Occupations Code, by Chapter 663 (H.B. 1560), Acts of the  
10 87th Legislature, Regular Session, 2021.

11           ARTICLE 17. CHANGES RELATING TO PENAL CODE

12           SECTION 17.001. Section 12.35(c), Penal Code, is amended to  
13 conform to the amendment of Article 42A.054(a), Code of Criminal  
14 Procedure, by Chapter 1137 (H.B. 2758), Acts of the 86th  
15 Legislature, Regular Session, 2019, to read as follows:

16           (c) An individual adjudged guilty of a state jail felony  
17 shall be punished for a third degree felony if it is shown on the  
18 trial of the offense that:

19           (1) a deadly weapon as defined by Section 1.07 was used  
20 or exhibited during the commission of the offense or during  
21 immediate flight following the commission of the offense, and that  
22 the individual used or exhibited the deadly weapon or was a party to  
23 the offense and knew that a deadly weapon would be used or  
24 exhibited; or

25           (2) the individual has previously been finally  
26 convicted of any felony:

27           (A) under Section [~~20A.03~~ or] 21.02 or listed in

1 Article 42A.054(a), Code of Criminal Procedure; or

2 (B) for which the judgment contains an  
3 affirmative finding under Article 42A.054(c) or (d), Code of  
4 Criminal Procedure.

5 SECTION 17.002. Section 42.03, Penal Code, as amended by  
6 Chapters 197 (H.B. 9) and 949 (S.B. 1495), Acts of the 87th  
7 Legislature, Regular Session, 2021, is amended by reenacting and  
8 amending Subsection (c) and adding Subsection (c-1) to read as  
9 follows:

10 (c) Except as otherwise provided by Subsections (c-1), (d),  
11 and (e), an offense under this section is a Class B misdemeanor.

12 (c-1) An offense under this section [~~, except that the~~  
13 ~~offense~~] is a state jail felony if, in committing the offense, the  
14 actor knowingly:

15 (1) prevents the passage of an authorized emergency  
16 vehicle, as defined by Section 541.201, Transportation Code, that  
17 is operating the vehicle's emergency audible or visual signals  
18 required by Section 546.003, Transportation Code; or

19 (2) obstructs access to a hospital licensed under  
20 Chapter 241, Health and Safety Code, or other health care facility  
21 that provides emergency medical care, as defined by Section  
22 773.003, Health and Safety Code.

23 SECTION 17.003. Section 43.02(c-2), Penal Code, as added by  
24 Chapters 807 (H.B. 1540) and 1049 (S.B. 1831), Acts of the 87th  
25 Legislature, Regular Session, 2021, is transferred to Section  
26 43.021, Penal Code, redesignated as Section 43.021(b-1), Penal  
27 Code, and amended to read as follows:

1        (b-1) [~~(c-2)~~] The punishment prescribed for an offense  
2 under Subsection (a) [~~(b)~~] is increased to the punishment  
3 prescribed for the next highest category of offense if it is shown  
4 on the trial of the offense that the actor committed the offense in  
5 a location that was:

6            (1) on the premises of or within 1,000 feet of the  
7 premises of a school; or

8            (2) on premises or within 1,000 feet of premises  
9 where:

10            (A) an official school function was taking place;  
11 or

12            (B) an event sponsored or sanctioned by the  
13 University Interscholastic League was taking place.

14        SECTION 17.004. Sections 46.035(b), (c), and (d), Penal  
15 Code, as amended by Chapter 481 (H.B. 2112) and Chapter 518 (S.B.  
16 550), Acts of the 87th Legislature, Regular Session, 2021, are  
17 repealed to conform to the repeal of Section 46.035, Penal Code, by  
18 Chapter 809 (H.B. 1927), Acts of the 87th Legislature, Regular  
19 Session, 2021.

20        SECTION 17.005. Section 46.06(a), Penal Code, is amended to  
21 correct a reference to read as follows:

22            (a) A person commits an offense if the person:

23            (1) sells, rents, leases, loans, or gives a handgun to  
24 any person knowing that the person to whom the handgun is to be  
25 delivered intends to use it unlawfully or in the commission of an  
26 unlawful act;

27            (2) intentionally or knowingly sells, rents, leases,

1 or gives or offers to sell, rent, lease, or give to any child  
2 younger than 18 years of age any firearm, club, or  
3 location-restricted knife;

4 (3) intentionally, knowingly, or recklessly sells a  
5 firearm or ammunition for a firearm to any person who is  
6 intoxicated;

7 (4) knowingly sells a firearm or ammunition for a  
8 firearm to any person who has been convicted of a felony before the  
9 fifth anniversary of the later of the following dates:

10 (A) the person's release from confinement  
11 following conviction of the felony; or

12 (B) the person's release from supervision under  
13 community supervision, parole, or mandatory supervision following  
14 conviction of the felony;

15 (5) sells, rents, leases, loans, or gives a handgun to  
16 any person knowing that an active protective order is directed to  
17 the person to whom the handgun is to be delivered;

18 (6) knowingly purchases, rents, leases, or receives as  
19 a loan or gift from another a handgun while an active protective  
20 order is directed to the actor; or

21 (7) while prohibited from possessing a firearm under  
22 state or federal law, knowingly makes a material false statement on  
23 a form that is:

24 (A) required by state or federal law for the  
25 purchase, sale, or other transfer of a firearm; and

26 (B) submitted to a [~~licensed~~] firearms dealer  
27 licensed under [~~as defined by~~] 18 U.S.C. Section 923.

ARTICLE 18. CHANGES RELATING TO PROPERTY CODE

SECTION 18.001. Section 5.018, Property Code, is repealed to conform to the expiration of Title 16, Property Code, on September 1, 2009.

ARTICLE 19. CHANGES RELATING TO SPECIAL DISTRICT LOCAL LAWS CODE

SECTION 19.001. Section 1013.104(b), Special District Local Laws Code, is amended to correct a typographical error to read as follows:

(b) The hospital system may include:

(1) facilities and equipment for domiciliary [~~domiciliary~~] care and treatment of sick, injured, or geriatric patients;

(2) outpatient clinics;

(3) convalescent home facilities;

(4) physicians' offices; and

(5) any other facilities or equipment the board considers necessary for hospital purposes.

SECTION 19.002. Section 1100.064(a), Special District Local Laws Code, is amended to correct a typographical error to read as follows:

(a) The district may spend district money to recruit physicians [~~physicians~~], nurses, or other trained medical personnel.

ARTICLE 20. CHANGES RELATING TO TAX CODE

SECTION 20.001. (a) Section 5.102(a), Tax Code, is amended to conform to the amendment of Section 5.102, Tax Code, by Chapter 490 (H.B. 3384), Acts of the 86th Legislature, Regular Session,



1 2019, to read as follows:

2 (a) At least once every two years, the comptroller shall  
3 review the governance of each appraisal district, the taxpayer  
4 assistance provided by each appraisal district, and the operating  
5 and appraisal standards, procedures, and methodology used by each  
6 appraisal district, to determine compliance with generally  
7 accepted standards, procedures, and methodology, including  
8 compliance with standards, procedures, and methodology prescribed  
9 by any appraisal manuals required by law to be prepared and issued  
10 by the comptroller. [~~After consultation with the property tax  
11 administration advisory board, the comptroller by rule may  
12 establish procedures and standards for conducting and scoring the  
13 review.~~]

14 (b) Section 5.102(a-2), Tax Code, is amended to conform to  
15 the amendment of Section 5.102(a), Tax Code, by Chapter 944 (S.B.  
16 2), Acts of the 86th Legislature, Regular Session, 2019, to read as  
17 follows:

18 (a-2) After consultation with the property tax  
19 administration advisory board [~~committee created under Section  
20 403.302, Government Code~~], the comptroller by rule may establish  
21 procedures and standards for conducting and scoring a review under  
22 this section.

23 SECTION 20.002. Section 171.0002(c), Tax Code, is amended to  
24 correct a reference to read as follows:

25 (c) "Taxable entity" does not include an entity that is:

26 (1) a grantor trust as defined by Sections 671 and  
27 7701(a)(30)(E), Internal Revenue Code, all of the grantors and

1 beneficiaries of which are natural persons or charitable entities  
2 as described in Section 501(c)(3), Internal Revenue Code, excluding  
3 a trust taxable as a business entity pursuant to Treasury  
4 Regulation Section 301.7701-4(b);

5 (2) an estate of a natural person as defined by Section  
6 7701(a)(30)(D), Internal Revenue Code, excluding an estate taxable  
7 as a business entity pursuant to Treasury Regulation Section  
8 301.7701-4(b);

9 (3) an escrow;

10 (4) a real estate investment trust (REIT) as defined  
11 by Section 856, Internal Revenue Code, and its "qualified REIT  
12 subsidiary" entities as defined by Section 856(i)(2), Internal  
13 Revenue Code, provided that:

14 (A) a REIT with any amount of its assets in direct  
15 holdings of real estate, other than real estate it occupies for  
16 business purposes, as opposed to holding interests in limited  
17 partnerships or other entities that directly hold the real estate,  
18 is a taxable entity; and

19 (B) a limited partnership or other entity that  
20 directly holds the real estate as described in Paragraph (A) is not  
21 exempt under this subdivision, without regard to whether a REIT  
22 holds an interest in it;

23 (5) a real estate mortgage investment conduit (REMIC),  
24 as defined by Section 860D, Internal Revenue Code;

25 (6) a nonprofit self-insurance trust created under  
26 Chapter 2212, Insurance Code, or a predecessor statute;

27 (7) a trust qualified under Section 401(a), Internal

1 Revenue Code;

2 (8) a trust or other entity that is exempt under  
3 Section 501(c)(9), Internal Revenue Code; or

4 (9) an unincorporated entity organized as a political  
5 committee under the Election Code or the provisions of the Federal  
6 Election Campaign Act of 1971 (52 U.S.C. Section 30101 et seq.) [~~2~~  
7 ~~U.S.C. Section 431 et seq.~~].

8 ARTICLE 21. CHANGES RELATING TO TRANSPORTATION CODE

9 SECTION 21.001. Section 503.0626(c), Transportation Code,  
10 is amended to correct a reference to read as follows:

11 (c) Before a dealer's or converter's temporary tag may be  
12 displayed on a vehicle, the dealer or converter must enter into the  
13 database through the Internet information on the vehicle and  
14 information about the dealer or converter as prescribed by the  
15 department. Except as provided by Section 503.0632(f)  
16 [~~506.0632(f)~~], the department may not deny access to the database  
17 to any dealer who holds a general distinguishing number issued  
18 under this chapter or who is licensed under Chapter 2301,  
19 Occupations Code, or to any converter licensed under Chapter 2301,  
20 Occupations Code.

21 SECTION 21.002. Section 503.0631(c), Transportation Code,  
22 is amended to correct a reference to read as follows:

23 (c) Except as provided by Subsection (d), before a buyer's  
24 temporary tag may be displayed on a vehicle, a dealer must enter  
25 into the database through the Internet information about the buyer  
26 of the vehicle for which the tag was issued as prescribed by the  
27 department and generate a vehicle-specific number for the tag as

1 required by Section 503.063(e). Except as provided by Section  
2 503.0632(f) [~~506.0632(f)~~], the department may not deny access to  
3 the database to any dealer who holds a general distinguishing  
4 number issued under this chapter or who is licensed under Chapter  
5 2301, Occupations Code.

6 SECTION 21.003. Section 644.101(c), Transportation Code,  
7 as amended by Chapters 74 (H.B. 2749) and 429 (S.B. 901), Acts of  
8 the 87th Legislature, Regular Session, 2021, is reenacted and  
9 amended to read as follows:

10 (c) A sheriff or a deputy sheriff of any of the following  
11 counties is eligible to apply for certification under this section:

- 12 (1) a county bordering the United Mexican States;
- 13 (2) a county with a population of less than 1,000, part  
14 of which is located within 75 miles of an international border;
- 15 (3) a county with a population of 700,000 or more;
- 16 (4) a county with a population of 400,000 or more that  
17 borders the county in which the State Capitol is located; [~~or~~]
- 18 (5) a county with a population of less than 250,000  
19 that:

20 (A) is adjacent to two counties that each have a  
21 population of more than 1.2 million; and

22 (B) contains two highways that are part of the  
23 national system of interstate and defense highways;

24 (6) [~~(5)~~] a county:

25 (A) any part of which is within 30 miles of New  
26 Mexico; and

27 (B) that is adjacent to two or more counties that

1 generated \$100 million or more in tax revenue collected under  
2 Chapters 201 and 202, Tax Code, from oil and gas production during  
3 the preceding state fiscal year; or

4 (7) [~~(6)~~] a county with a population of more than  
5 40,000 and less than 300,000 that is adjacent to a county described  
6 by Subdivision (4).

7 ARTICLE 22. CHANGES RELATING TO UTILITIES CODE

8 SECTION 22.001. Section 31.002(6), Utilities Code, as  
9 amended by Chapters 255 (H.B. 1572) and 389 (S.B. 1202), Acts of the  
10 87th Legislature, Regular Session, 2021, is reenacted and amended  
11 to read as follows:

12 (6) "Electric utility" means a person or river  
13 authority that owns or operates for compensation in this state  
14 equipment or facilities to produce, generate, transmit,  
15 distribute, sell, or furnish electricity in this state. The term  
16 includes a lessee, trustee, or receiver of an electric utility and a  
17 recreational vehicle park owner who does not comply with Subchapter  
18 C, Chapter 184, with regard to the metered sale of electricity at  
19 the recreational vehicle park. The term does not include:

- 20 (A) a municipal corporation;
- 21 (B) a qualifying facility;
- 22 (C) a power generation company;
- 23 (D) an exempt wholesale generator;
- 24 (E) a power marketer;
- 25 (F) a corporation described by Section 32.053 to  
26 the extent the corporation sells electricity exclusively at  
27 wholesale and not to the ultimate consumer;

- 1 (G) an electric cooperative;
- 2 (H) a retail electric provider;
- 3 (I) this state or an agency of this state; or
- 4 (J) a person not otherwise an electric utility

5 who:

6 (i) furnishes an electric service or  
7 commodity only to itself, its employees, or its tenants as an  
8 incident of employment or tenancy, if that service or commodity is  
9 not resold to or used by others;

10 (ii) owns or operates in this state  
11 equipment or facilities to produce, generate, transmit,  
12 distribute, sell, or furnish electric energy to an electric  
13 utility, if the equipment or facilities are used primarily to  
14 produce and generate electric energy for consumption by that  
15 person;

16 (iii) owns or operates in this state a  
17 recreational vehicle park that provides metered electric service in  
18 accordance with Subchapter C, Chapter 184; ~~or~~

19 (iv) owns or operates equipment used solely  
20 to provide electricity charging service for consumption by an  
21 alternatively fueled vehicle, as defined by Section 502.004,  
22 Transportation Code; or

23 (v) [~~(iv)~~] is an electric generation  
24 equipment lessor or operator.

25 SECTION 22.002. Sections 33.0211(c) and (d), Utilities  
26 Code, are amended to correct typographical errors to read as  
27 follows:

1 (c) If a municipally owned utility has not transferred funds  
2 to the defunding municipality described by Subsection (a) in the  
3 immediately preceding 12 months, the municipally owned utility may  
4 increase its rates to account for:

5 (1) pass-through charges imposed by a state regulatory  
6 body or the independent organization certified under Section  
7 [39.151](#);

8 (2) fuel, hedging, or wholesale power cost increases;  
9 or

10 (3) fulfillment of [~~to fulfill~~] debt obligations or  
11 compliance [~~comply~~] with Chapter [1502](#), Government Code.

12 (d) A municipally owned utility that increases rates under  
13 [~~this~~] Subsection (c) may not transfer funds to the defunding  
14 municipality described by Subsection (a) until the date the  
15 criminal justice division of the governor's office issues a written  
16 determination in accordance with Section [109.005](#), Local Government  
17 Code, finding that the municipality described by Subsection (a) has  
18 reversed the reduction described by Section [109.003](#)(1), Local  
19 Government Code.

20 SECTION 22.003. (a) Section [39.002](#), Utilities Code, as  
21 amended by Chapters 950 (S.B. 1580) and 908 (H.B. 4492), Acts of the  
22 87th Legislature, Regular Session, 2021, is reenacted and amended  
23 to read as follows:

24 Sec. 39.002. APPLICABILITY. This chapter, other than  
25 Sections [39.151](#), [39.1516](#), [39.155](#), [39.157](#)(e), [~~[39.159](#), [39.160](#),~~  
26 [39.161](#), [39.162](#), [39.163](#), [39.203](#), [39.904](#), [39.9051](#), [39.9052](#), and  
27 [39.914](#)(e), and Subchapters M and N, does not apply to a municipally

1 owned utility or an electric cooperative. Sections 39.157(e),  
2 39.203, and 39.904, however, apply only to a municipally owned  
3 utility or an electric cooperative that is offering customer  
4 choice. If there is a conflict between the specific provisions of  
5 this chapter and any other provisions of this title, except for  
6 Chapters 40 and 41, the provisions of this chapter control.

7 (b) Sections 39.159 and 39.160, Utilities Code, as added by  
8 Chapter 950 (S.B. 1580), Acts of the 87th Legislature, Regular  
9 Session, 2021, are redesignated as Sections 39.161 and 39.162,  
10 Utilities Code, respectively.

11 (c) Section 39.159, Utilities Code, as added by Chapter 908  
12 (H.B. 4492), Acts of the 87th Legislature, Regular Session, 2021,  
13 is redesignated as Section 39.163, Utilities Code.

14 (d) Section 39.159, Utilities Code, as added by Chapter 73  
15 (H.B. 2586), Acts of the 87th Legislature, Regular Session, 2021,  
16 is redesignated as Section 39.164, Utilities Code.

17 (e) Section 39.159, Utilities Code, as added by Chapter 876  
18 (S.B. 1281), Acts of the 87th Legislature, Regular Session, 2021,  
19 is redesignated as Section 39.165, Utilities Code.

20 SECTION 22.004. Section 39.918(b), Utilities Code, is  
21 amended to correct a reference to read as follows:

22 (b) Notwithstanding any other provision of this subtitle, a  
23 transmission and distribution utility may:

24 (1) lease and operate facilities that provide  
25 temporary emergency electric energy to aid in restoring power to  
26 the utility's distribution customers during a widespread power  
27 outage in which:



1 (A) the independent system operator has ordered  
2 the utility to shed load; or

3 (B) the utility's distribution facilities are  
4 not being fully served by the bulk power system under normal  
5 operations; and

6 (2) procure, own, and operate, or enter into a  
7 cooperative agreement with other transmission and distribution  
8 utilities to procure, own, and operate jointly, transmission and  
9 distribution facilities that have a lead time of at least six months  
10 and would aid in restoring power to the utility's distribution  
11 customers following a widespread power outage. In this section,  
12 long lead time facilities may not be electric energy storage  
13 equipment or facilities under Chapter 35 [~~Utilities Code~~].

14 ARTICLE 23. CHANGES RELATING TO REVISED STATUTES

15 SECTION 23.001. The following provisions are repealed to  
16 conform to the repeal of the substance of the chapters:

17 (1) the heading to Chapter 18, Title 32, Revised  
18 Statutes;

19 (2) the heading to Chapter 4, Title 70, Revised  
20 Statutes; and

21 (3) the heading to Chapter 1, Title 71, Revised  
22 Statutes.

23 ARTICLE 24. REDESIGNATIONS

24 SECTION 24.001. The following provisions of enacted codes  
25 are redesignated to eliminate duplicate citations:

26 (1) Chapter 113, Business & Commerce Code, as added by  
27 Chapter 561 (S.B. 398), Acts of the 87th Legislature, Regular

1 Session, 2021, is redesignated as Chapter 115, Business & Commerce  
2 Code, and Sections 113.001, 113.002, 113.003, 113.004, and 113.005,  
3 Business & Commerce Code, as added by that Act, are redesignated as  
4 Sections 115.001, 115.002, 115.003, 115.004, and 115.005, Business  
5 & Commerce Code, respectively.

6 (2) Chapter 113, Business & Commerce Code, as added by  
7 Chapter 975 (S.B. 2116), Acts of the 87th Legislature, Regular  
8 Session, 2021, is redesignated as Chapter 117, Business & Commerce  
9 Code, and Sections 113.001, 113.002, and 113.003, Business &  
10 Commerce Code, as added by that Act, are redesignated as Sections  
11 117.001, 117.002, and 117.003, Business & Commerce Code,  
12 respectively.

13 (3) Chapter 114, Business & Commerce Code, as added by  
14 Chapter 305 (S.B. 911), Acts of the 87th Legislature, Regular  
15 Session, 2021, is redesignated as Chapter 118, Business & Commerce  
16 Code, and Sections 114.0001, 114.0002, 114.0003, 114.0004, and  
17 114.0005, Business & Commerce Code, as added by that Act, are  
18 redesignated as Sections 118.0001, 118.0002, 118.0003, 118.0004,  
19 and 118.0005, Business & Commerce Code, respectively.

20 (4) Chapter 116, Business & Commerce Code, as added by  
21 Chapter 512 (S.B. 291), Acts of the 87th Legislature, Regular  
22 Session, 2021, is redesignated as Chapter 119, Business & Commerce  
23 Code, and Section 116.0001, Business & Commerce Code, as added by  
24 that Act, is redesignated as Section 119.0001, Business & Commerce  
25 Code.

26 (5) Chapter 608, Business & Commerce Code, as added by  
27 Chapter 245 (H.B. 1372), Acts of the 87th Legislature, Regular

1 Session, 2021, is redesignated as Chapter 609, Business & Commerce  
2 Code, and Section 608.001, Business & Commerce Code, as added by  
3 that Act, is redesignated as Section 609.001, Business & Commerce  
4 Code.

5 (6) Article 2.33, Code of Criminal Procedure, as added  
6 by Chapter 534 (S.B. 69), Acts of the 87th Legislature, Regular  
7 Session, 2021, is redesignated as Article 2.34, Code of Criminal  
8 Procedure.

9 (7) Article 2.33, Code of Criminal Procedure, as added  
10 by Chapter 979 (S.B. 2212), Acts of the 87th Legislature, Regular  
11 Session, 2021, is redesignated as Article 2.35, Code of Criminal  
12 Procedure.

13 (8) Subsection (a-1), Article 7B.001, Code of Criminal  
14 Procedure, as added by Chapter 846 (S.B. 623), Acts of the 87th  
15 Legislature, Regular Session, 2021, is redesignated as Subsection  
16 (a-3), Article 7B.001, Code of Criminal Procedure.

17 (9) Subsection (g), Section 11.175, Education Code, as  
18 added by Chapter 1045 (S.B. 1267), Acts of the 87th Legislature,  
19 Regular Session, 2021, is redesignated as Subsection (h-1), Section  
20 11.175, Education Code.

21 (10) Subdivision (4), Section 21.001, Education Code,  
22 as added by Chapter 215 (H.B. 159), Acts of the 87th Legislature,  
23 Regular Session, 2021, is redesignated as Subdivision (3-a),  
24 Section 21.001, Education Code.

25 (11) Section 33.0832, Education Code, as added by  
26 Chapter 235 (H.B. 1080), Acts of the 87th Legislature, Regular  
27 Session, 2021, is redesignated as Section 33.0833, Education Code.

1           (12) Subchapter [E](#), Chapter [109](#), Education Code, as  
2 added by Chapter 417 (H.B. 1522), Acts of the 87th Legislature,  
3 Regular Session, 2021, is redesignated as Subchapter F, Chapter  
4 [109](#), Education Code, and Sections [109.201](#), [109.202](#), [109.203](#),  
5 [109.204](#), and [109.205](#), Education Code, as added by that Act, are  
6 redesignated as Sections 109.251, 109.252, 109.253, 109.254, and  
7 109.255, Education Code, respectively.

8           (13) Section [1001.1021](#), Education Code, as added by  
9 Chapter 924 (H.B. 3212), Acts of the 87th Legislature, Regular  
10 Session, 2021, is redesignated as Section 1001.1022, Education  
11 Code.

12           (14) Section [31.126](#), Election Code, as added by  
13 Chapter 360 (S.B. 231), Acts of the 87th Legislature, Regular  
14 Session, 2021, is redesignated as Section 31.127, Election Code.

15           (15) Subchapter [R](#), Chapter [403](#), Government Code, as  
16 added by Chapter 659 (H.B. 1505), Acts of the 87th Legislature,  
17 Regular Session, 2021, is redesignated as Subchapter S, Chapter  
18 [403](#), Government Code, and Sections [403.501](#), [403.502](#), and [403.503](#),  
19 Government Code, as added by that Act, are redesignated as Sections  
20 403.551, 403.552, and 403.553, Government Code, respectively.

21           (16) Section [411.184](#), Government Code, as added by  
22 Chapter 1026 (H.B. 1069), Acts of the 87th Legislature, Regular  
23 Session, 2021, is redesignated as Section 411.1883, Government  
24 Code.

25           (17) Subchapter [J](#), Chapter [418](#), Government Code, as  
26 added by Chapter 863 (S.B. 968), Acts of the 87th Legislature,  
27 Regular Session, 2021, is redesignated as Subchapter I, Chapter

1 418, Government Code, and Sections 418.301, 418.302, 418.303,  
2 418.304, 418.305, 418.306, and 418.307, Government Code, as added  
3 by that Act, are redesignated as Sections 418.251, 418.252,  
4 418.253, 418.254, 418.255, 418.256, and 418.257, Government Code,  
5 respectively.

6 (18) Section 434.027, Government Code, as added by  
7 Chapter 157 (S.B. 886), Acts of the 87th Legislature, Regular  
8 Session, 2021, is redesignated as Section 434.028, Government Code.

9 (19) Subchapter CC, Chapter 481, Government Code, as  
10 added by Chapter 847 (S.B. 678), Acts of the 87th Legislature,  
11 Regular Session, 2021, is redesignated as Subchapter EE, Chapter  
12 481, Government Code.

13 (20) Subsection (f), Section 825.4092, Government  
14 Code, as added by Chapter 511 (S.B. 288), Acts of the 87th  
15 Legislature, Regular Session, 2021, is redesignated as Subsection  
16 (g), Section 825.4092, Government Code.

17 (21) Chapter 2274, Government Code, as added by  
18 Chapter 975 (S.B. 2116), Acts of the 87th Legislature, Regular  
19 Session, 2021, is redesignated as Chapter 2275, Government Code,  
20 and Sections 2274.0101, 2274.0102, and 2274.0103, Government Code,  
21 as added by that Act, are redesignated as Sections 2275.0101,  
22 2275.0102, and 2275.0103, Government Code, respectively.

23 (22) Chapter 2274, Government Code, as added by  
24 Chapter 529 (S.B. 13), Acts of the 87th Legislature, Regular  
25 Session, 2021, is redesignated as Chapter 2276, Government Code,  
26 and Sections 2274.001 and 2274.002, Government Code, as added by  
27 that Act, are redesignated as Sections 2276.001 and 2276.002,

1 respectively.

2 (23) Chapter 2274, Government Code, as added by  
3 Chapter 833 (S.B. 4), Acts of the 87th Legislature, Regular  
4 Session, 2021, is redesignated as Chapter 2277, Government Code,  
5 and Sections 2274.001, 2274.002, and 2274.003, Government Code, as  
6 added by that Act, are redesignated as Sections 2277.001, 2277.002,  
7 and 2277.003, respectively.

8 (24) Chapter 260C, Health and Safety Code, as added by  
9 Chapter 732 (H.B. 3961), Acts of the 87th Legislature, Regular  
10 Session, 2021, is redesignated as Chapter 260D, Health and Safety  
11 Code, and Sections 260C.001 and 260C.002, Health and Safety Code,  
12 as added by that Act, are redesignated as Sections 260D.001 and  
13 260D.002, respectively.

14 (25) Subsection (ll), Section 32.024, Human Resources  
15 Code, as added by Chapter 966 (S.B. 1921), Acts of the 87th  
16 Legislature, Regular Session, 2021, is redesignated as Subsection  
17 (mm), Section 32.024, Human Resources Code.

18 (26) Subchapter M, Chapter 544, Insurance Code, as  
19 added by Chapter 71 (H.B. 317), Acts of the 87th Legislature,  
20 Regular Session, 2021, is redesignated as Subchapter N, Chapter  
21 544, Insurance Code, and Sections 544.601, 544.602, and 544.603,  
22 Insurance Code, as added by that Act, are redesignated as Sections  
23 544.651, 544.652, and 544.653, Insurance Code, respectively.

24 (27) Subchapter L, Chapter 1369, Insurance Code, as  
25 added by Chapter 142 (H.B. 1763), Acts of the 87th Legislature,  
26 Regular Session, 2021, is redesignated as Subchapter M, Chapter  
27 1369, Insurance Code, and Sections 1369.551, 1369.552, 1369.553,

1 1369.554, 1369.555, 1369.556, 1369.557, 1369.558, 1369.559, and  
2 1369.560, Insurance Code, as added by that Act, are redesignated as  
3 Sections 1369.601, 1369.602, 1369.603, 1369.604, 1369.605,  
4 1369.606, 1369.607, 1369.608, 1369.609, and 1369.610, Insurance  
5 Code, respectively.

6 (28) Section 43.004, Local Government Code, as added  
7 by Chapter 103 (S.B. 1338), Acts of the 87th Legislature, Regular  
8 Session, 2021, is redesignated as Section 43.005, Local Government  
9 Code.

10 (29) Section 180.008, Local Government Code, as added  
11 by Chapter 685 (H.B. 2073), Acts of the 87th Legislature, Regular  
12 Session, 2021, is redesignated as Section 180.009, Local Government  
13 Code.

14 (30) Section 250.011, Local Government Code, as added  
15 by Chapter 315 (H.B. 738), Acts of the 87th Legislature, Regular  
16 Session, 2021, is redesignated as Section 250.012, Local Government  
17 Code.

18 (31) Section 250.011, Local Government Code, as added  
19 by Chapter 978 (S.B. 2188), Acts of the 87th Legislature, Regular  
20 Session, 2021, is redesignated as Section 250.013, Local Government  
21 Code.

22 (32) Subsection (b), Section 153.084, Natural  
23 Resources Code, as added by Chapter 330 (H.B. 2004), Acts of the  
24 87th Legislature, Regular Session, 2021, is redesignated as  
25 Subsection (b-1), Section 153.084, Natural Resources Code.

26 (33) Section 1701.269, Occupations Code, as added by  
27 Chapter 708 (H.B. 2831), Acts of the 87th Legislature, Regular

1 Session, 2021, is redesignated as Section 1701.271, Occupations  
2 Code.

3 (34) Subsection (m), Section 46.15, Penal Code, as  
4 added by Chapter 1026 (H.B. 1069), Acts of the 87th Legislature,  
5 Regular Session, 2021, is redesignated as Subsection (r), Section  
6 46.15, Penal Code.

7 (35) Subsection (m), Section 25.19, Tax Code, as added  
8 by Chapter 209 (H.B. 2723), Acts of the 87th Legislature, Regular  
9 Session, 2021, is redesignated as Subsection (l-1), Section 25.19,  
10 Tax Code.

11 (36) Subsection (b-4), Section 41.45, Tax Code, as  
12 added by Chapter 965 (S.B. 1919), Acts of the 87th Legislature,  
13 Regular Session, 2021, is redesignated as Subsection (b-6), Section  
14 41.45, Tax Code.

15 (37) Section 201.623, Transportation Code, as added by  
16 Chapter 898 (H.B. 3319), Acts of the 87th Legislature, Regular  
17 Session, 2021, is redesignated as Section 201.624, Transportation  
18 Code.

19 (38) Section 225.190, Transportation Code, as added by  
20 Chapter 87 (S.B. 730), Acts of the 87th Legislature, Regular  
21 Session, 2021, is redesignated as Section 225.201, Transportation  
22 Code.

23 (39) Section 225.190, Transportation Code, as added by  
24 Chapter 97 (S.B. 1124), Acts of the 87th Legislature, Regular  
25 Session, 2021, is redesignated as Section 225.202, Transportation  
26 Code.

27 (40) Section 225.190, Transportation Code, as added by



1 Chapter 153 (H.B. 2431), Acts of the 87th Legislature, Regular  
2 Session, 2021, is redesignated as Section 225.203, Transportation  
3 Code.

4 (41) Section 225.190, Transportation Code, as added by  
5 Chapter 266 (H.B. 2167), Acts of the 87th Legislature, Regular  
6 Session, 2021, is redesignated as Section 225.204, Transportation  
7 Code.

8 (42) Section 225.190, Transportation Code, as added by  
9 Chapter 301 (S.B. 787), Acts of the 87th Legislature, Regular  
10 Session, 2021, is redesignated as Section 225.205, Transportation  
11 Code.

12 (43) Section 225.190, Transportation Code, as added by  
13 Chapter 388 (S.B. 1185), Acts of the 87th Legislature, Regular  
14 Session, 2021, is redesignated as Section 225.206, Transportation  
15 Code.

16 (44) Section 225.190, Transportation Code, as added by  
17 Chapter 447 (H.B. 532), Acts of the 87th Legislature, Regular  
18 Session, 2021, is redesignated as Section 225.207, Transportation  
19 Code.

20 (45) Section 225.190, Transportation Code, as added by  
21 Chapter 607 (S.B. 1208), Acts of the 87th Legislature, Regular  
22 Session, 2021, is redesignated as Section 225.208, Transportation  
23 Code.

24 (46) Section 225.190, Transportation Code, as added by  
25 Chapter 646 (H.B. 1115), Acts of the 87th Legislature, Regular  
26 Session, 2021, is redesignated as Section 225.209, Transportation  
27 Code.

1           (47) Section 225.190, Transportation Code, as added by  
2 Chapter 654 (H.B. 1321), Acts of the 87th Legislature, Regular  
3 Session, 2021, is redesignated as Section 225.210, Transportation  
4 Code.

5           (48) Section 225.190, Transportation Code, as added by  
6 Chapter 699 (H.B. 2521), Acts of the 87th Legislature, Regular  
7 Session, 2021, is redesignated as Section 225.211, Transportation  
8 Code.

9           (49) Section 225.190, Transportation Code, as added by  
10 Chapter 707 (H.B. 2807), Acts of the 87th Legislature, Regular  
11 Session, 2021, is redesignated as Section 225.212, Transportation  
12 Code.

13           (50) Section 225.190, Transportation Code, as added by  
14 Chapter 925 (H.B. 3324), Acts of the 87th Legislature, Regular  
15 Session, 2021, is redesignated as Section 225.213, Transportation  
16 Code.

17           (51) Section 225.190, Transportation Code, as added by  
18 Chapter 927 (H.B. 3512), Acts of the 87th Legislature, Regular  
19 Session, 2021, is redesignated as Section 225.214, Transportation  
20 Code.

21           (52) Section 225.190, Transportation Code, as added by  
22 Chapter 930 (H.B. 3630), Acts of the 87th Legislature, Regular  
23 Session, 2021, is redesignated as Section 225.215, Transportation  
24 Code.

25           (53) Section 225.190, Transportation Code, as added by  
26 Chapter 956 (S.B. 1704), Acts of the 87th Legislature, Regular  
27 Session, 2021, is redesignated as Section 225.216, Transportation

1 Code.

2 (54) Section 504.327, Transportation Code, as added by  
3 Chapter 130 (H.B. 3401), Acts of the 87th Legislature, Regular  
4 Session, 2021, is redesignated as Section 504.328, Transportation  
5 Code.

6 (55) Section 504.327, Transportation Code, as added by  
7 Chapter 302 (S.B. 791), Acts of the 87th Legislature, Regular  
8 Session, 2021, is redesignated as Section 504.329, Transportation  
9 Code.

10 (56) Section 504.327, Transportation Code, as added by  
11 Chapter 326 (H.B. 1936), Acts of the 87th Legislature, Regular  
12 Session, 2021, is redesignated as Section 504.330, Transportation  
13 Code.

14 (57) Section 504.675, Transportation Code, as added by  
15 Chapter 286 (H.B. 4080), Acts of the 87th Legislature, Regular  
16 Session, 2021, is redesignated as Section 504.676, Transportation  
17 Code.

18 (58) Section 504.675, Transportation Code, as added by  
19 Chapter 673 (H.B. 1863), Acts of the 87th Legislature, Regular  
20 Session, 2021, is redesignated as Section 504.677, Transportation  
21 Code.

22 (59) Section 504.675, Transportation Code, as added by  
23 Chapter 870 (S.B. 1123), Acts of the 87th Legislature, Regular  
24 Session, 2021, is redesignated as Section 504.678, Transportation  
25 Code.

26 (60) Section 521.013, Transportation Code, as added by  
27 Chapter 818 (H.B. 2497), Acts of the 87th Legislature, Regular

1 Session, 2021, is redesignated as Section 521.014, Transportation  
2 Code.

3 (61) Section 35.037, Utilities Code, as added by  
4 Chapter 426 (S.B. 3), Acts of the 87th Legislature, Regular  
5 Session, 2021, is redesignated as Section 35.038, Utilities Code.

6 SECTION 24.002. The following changes are made to conform  
7 the provisions amended to the redesignating changes made by Section  
8 24.001 of this Act and to correct cross-references:

9 (1) Section 115.004, Business & Commerce Code, as  
10 redesignated from Section 113.004, Business & Commerce Code, by  
11 Section 24.001 of this Act, is amended to read as follows:

12 Sec. 115.004 [~~113.004~~]. ADDITIONAL DISCLOSURES FOR LEASE  
13 AGREEMENTS. In addition to the disclosures required under Section  
14 115.003 [~~113.003~~], a lessor shall provide to a leasing residential  
15 or small commercial customer in writing:

16 (1) the term and rate of the lease, including any  
17 payment escalators or other terms that affect the customer's  
18 payments; and

19 (2) a statement of whether the lease and any  
20 applicable warranty or maintenance agreement is transferable to a  
21 subsequent purchaser of the property where the distributed  
22 renewable generation resource is installed.

23 (2) Section 115.005, Business & Commerce Code, as  
24 redesignated from Section 113.005, Business & Commerce Code, by  
25 Section 24.001 of this Act, is amended to read as follows:

26 Sec. 115.005 [~~113.005~~]. DISCLOSURES FOR POWER PURCHASE  
27 AGREEMENTS. A residential or small commercial customer who enters

1 into a power purchase agreement is entitled to receive in writing:

2 (1) the disclosures required under Sections  
3 115.003(1) [~~113.003(1)~~], (2), (5), and (6);

4 (2) the term and rate of the power purchase agreement,  
5 including any payment escalators or other terms that affect the  
6 customer's payments; and

7 (3) whether the power purchase agreement and any  
8 applicable warranty or maintenance agreement is transferable to a  
9 subsequent purchaser of the property where the distributed  
10 renewable generation resource is installed.

11 (3) Section 117.001(4), Business & Commerce Code, as  
12 redesignated from Section 113.001(4), Business & Commerce Code, by  
13 Section 24.001 of this Act, is amended to read as follows:

14 (4) "Designated country" means a country designated by  
15 the governor as a threat to critical infrastructure under Section  
16 117.003 [~~113.003~~].

17 (4) Section 118.0002, Business & Commerce Code, as  
18 redesignated from Section 114.0002, Business & Commerce Code, by  
19 Section 24.001 of this Act, is amended to read as follows:

20 Sec. 118.0002 [~~114.0002~~]. PROHIBITED ACTS. A third-party  
21 food delivery service may not:

22 (1) arrange for the delivery or pickup of food or  
23 beverages from a restaurant in this state unless the service has  
24 filed a certificate of formation or registration with the secretary  
25 of state;

26 (2) use a restaurant's mark or trade name in connection  
27 with the service in a misleading way that suggests the restaurant

1 sponsors or endorses the service;

2 (3) add a restaurant removed from the service under  
3 Section 118.0003 [~~114.0003~~] to the service unless the service has  
4 received written consent from the restaurant to add the restaurant  
5 to the service; or

6 (4) charge a restaurant a fee or require the  
7 restaurant to absorb a fee in connection with the service's  
8 arrangement of an order from that restaurant unless the restaurant  
9 has agreed to pay or absorb the fee under an agreement that meets  
10 the requirements of Section 118.0004 [~~114.0004~~].

11 (5) Section 118.0003, Business & Commerce Code, as  
12 redesignated from Section ~~114.0003~~, Business & Commerce Code, by  
13 Section 24.001 of this Act, is amended to read as follows:

14 Sec. 118.0003 [~~114.0003~~]. REQUIREMENTS FOR SERVICE. A  
15 third-party food delivery service shall:

16 (1) provide a consumer a clearly identified mechanism  
17 for the consumer to express concerns or complaints directly to the  
18 service regarding an order arranged through the service; and

19 (2) remove a restaurant from the service not later  
20 than the 10th day after the date the service receives a request from  
21 the restaurant to be removed from the service if the service does  
22 not have an agreement with the restaurant that meets the  
23 requirements of Section 118.0004 [~~114.0004~~].

24 (6) Section 403.551, Government Code, as redesignated  
25 from Section ~~403.501~~, Government Code, by Section 24.001 of this  
26 Act, is amended to read as follows:

27 Sec. 403.551 [~~403.501~~]. DEFINITIONS. In this subchapter:

1           (1) "Pole replacement fund" means the broadband pole  
2 replacement fund established under Section 403.552 [~~403.502~~].

3           (2) "Pole replacement program" means the Texas  
4 Broadband Pole Replacement Program established under Section  
5 403.553 [~~403.503~~].

6           (7) Section 403.552(c), Government Code, as  
7 redesignated from Section 403.502(c), Government Code, by Section  
8 24.001 of this Act, is amended to read as follows:

9           (c) Money deposited to the credit of the pole replacement  
10 fund may be used only for the purpose of supporting the pole  
11 replacement program under Section 403.553 [~~403.503~~], including the  
12 costs of program administration and operation. Money in the pole  
13 replacement fund must be used in a manner consistent with federal  
14 law.

15           (8) Section 403.553(q), Government Code, as  
16 redesignated from Section 403.503(q), Government Code, by Section  
17 24.001 of this Act, is amended to read as follows:

18           (q) Not later than one year after the date that the amount  
19 transferred to the pole replacement fund under Section 403.552(b)  
20 [~~403.502~~(b)] is exhausted, the comptroller shall identify,  
21 examine, and report on the deployment of broadband infrastructure  
22 and technology facilitated by the pole reimbursements the  
23 comptroller has awarded.

24           (9) Section 418.253, Government Code, as redesignated  
25 from Section 418.303, Government Code, by Section 24.001 of this  
26 Act, is amended to read as follows:

27           Sec. 418.253 [~~418.303~~]. EMERGENCY ASSISTANCE REGISTRY

1 ACCESS. The division shall authorize the following persons to  
2 access the emergency assistance registry to assist medically  
3 fragile individuals during an event described by Section 418.255  
4 [~~418.305~~]:

- 5 (1) the commission;
- 6 (2) the department;
- 7 (3) first responders;
- 8 (4) local governments; and
- 9 (5) local health departments.

10 (10) Section 418.254, Government Code, as  
11 redesignated from Section 418.304, Government Code, by Section  
12 24.001 of this Act, is amended to read as follows:

13 Sec. 418.254 [~~418.304~~]. REQUIRED WELLNESS CHECK. The  
14 division shall collaborate with the persons authorized to access  
15 the emergency assistance registry under Section 418.253 [~~418.303~~]  
16 and with applicable municipalities and counties to ensure that a  
17 wellness check is conducted on each medically fragile individual  
18 listed in the emergency assistance registry and located in an area  
19 that experiences an event described by Section 418.255 [~~418.305~~] to  
20 ensure the individual has:

- 21 (1) continuity of care; and
- 22 (2) the ability to continue using electrically powered  
23 medical equipment, if applicable.

24 (11) Section 432.175, Government Code, is amended to  
25 read as follows:

26 Sec. 432.175. PROTECTIVE ORDER. In accordance with  
27 Article 7B.001(a-3) [~~7B.001(a-1)~~], Code of Criminal Procedure, and



1 with the consent of the person who is the victim of an offense under  
2 Section [22.011](#), [22.012](#), or [22.021](#), Penal Code, alleged to have been  
3 committed by a person subject to this chapter, the coordinator may  
4 file an application for a protective order under Subchapter [A](#),  
5 Chapter [7B](#), Code of Criminal Procedure, on behalf of the victim.

6 (12) Section [2275.0101\(4\)](#), Government Code, as  
7 redesignated from Section [2274.0101\(4\)](#), Government Code, by  
8 Section [24.001](#) of this Act, is amended to read as follows:

9 (4) "Designated country" means a country designated by  
10 the governor as a threat to critical infrastructure under Section  
11 [2275.0103](#) [~~[2274.0103](#)~~].

12 (13) Section [2277.003](#), Government Code, as  
13 redesignated from Section [2274.003](#), Government Code, by Section  
14 [24.001](#) of this Act, is amended to read as follows:

15 Sec. [2277.003](#) [~~[2274.003](#)~~]. STRICT ADHERENCE TO DEFAULT  
16 PROVISION. (a) A governmental entity that enters into an  
17 agreement with a professional sports team shall strictly adhere to  
18 the default provision required by Section [2277.002\(2\)](#)  
19 [~~[2274.002\(2\)](#)~~].

20 (b) If a governmental entity fails to timely adhere to the  
21 default provision required under Section [2277.002\(2\)](#)  
22 [~~[2274.002\(2\)](#)~~], the attorney general may intervene to enforce the  
23 provision.

24 (14) Section [179.051\(a\)](#), Local Government Code, is  
25 amended to read as follows:

26 (a) A municipality or county to which this chapter applies  
27 and that employs or supervises first responders may not adopt or

1 enforce an ordinance, order, or other measure that generally  
2 prohibits a first responder who holds a license to carry a handgun  
3 under Subchapter H, Chapter 411, Government Code, an unexpired  
4 certificate of completion from the department under Section  
5 411.1883(d) [~~411.184(d)~~], Government Code, and the required  
6 liability policy under Section 179.053 from:

7 (1) carrying a concealed or holstered handgun while on  
8 duty; or

9 (2) storing a handgun on the premises of or in a  
10 vehicle owned or leased by the municipality or county if the handgun  
11 is secured with a device approved by the department under Section  
12 411.1883(f) [~~411.184(f)~~], Government Code.

13 (15) Section 179.052(a), Local Government Code, is  
14 amended to read as follows:

15 (a) A municipal or county department or private entity that  
16 employs or supervises first responders providing services for a  
17 municipality or county to which this chapter applies may adopt a  
18 policy authorizing a first responder who is employed or supervised  
19 by the municipal or county department or private entity and who  
20 holds a license to carry a handgun under Subchapter H, Chapter 411,  
21 Government Code, an unexpired certificate of completion from the  
22 department under Section 411.1883(d) [~~411.184(d)~~], Government  
23 Code, and the required liability policy under Section 179.053 to:

24 (1) carry a concealed or holstered handgun while on  
25 duty; or

26 (2) store a handgun on the premises of or in a vehicle  
27 owned or leased by the applicable municipality or county, or by the

1 private entity if the handgun is secured with a device approved by  
2 the department under Section 411.1883(f) [~~411.184(f)~~], Government  
3 Code.

4 (16) Section 179.054, Local Government Code, is  
5 amended to read as follows:

6 Sec. 179.054. STORAGE OF HANDGUN. (a) A first responder  
7 who enters a location where carrying a handgun is prohibited by  
8 federal law or otherwise shall use a device approved by the  
9 department under Section 411.1883(f) [~~411.184(f)~~], Government  
10 Code, to secure and store the handgun.

11 (b) A first responder is responsible for procuring the  
12 device approved by the department under Section 411.1883(f)  
13 [~~411.184(f)~~], Government Code, or for reimbursing the first  
14 responder's employer or supervisor for the use of a device provided  
15 by the employer or supervisor.

16 (17) Section 250.011, Local Government Code, as added  
17 by Chapter 305 (S.B. 911), Acts of the 87th Legislature, Regular  
18 Session, 2021, is amended to read as follows:

19 Sec. 250.011. THIRD-PARTY FOOD DELIVERY SERVICES. (a) In  
20 this section, "third-party food delivery service" has the meaning  
21 assigned by Section 118.0001 [~~114.0001~~], Business & Commerce Code.

22 (b) Notwithstanding any other law, a municipality or county  
23 may not adopt or enforce an ordinance or regulation to the extent  
24 that the ordinance or regulation affects the terms of agreements  
25 between third-party food delivery services and restaurants that  
26 meet the requirements of Section 118.0004(a) [~~114.0004(a)~~],  
27 Business & Commerce Code.

1           (18) Section 30.06(f-1), Penal Code, is amended to  
2 read as follows:

3           (f-1) It is a defense to prosecution under this section that  
4 the license holder is a first responder, as defined by Section  
5 46.01, who:

6           (1) holds an unexpired certificate of completion under  
7 Section 411.1883 [~~411.184~~], Government Code, at the time of  
8 engaging in the applicable conduct;

9           (2) was engaged in the actual discharge of the first  
10 responder's duties while carrying the handgun; and

11           (3) was employed or supervised by a municipality or  
12 county to which Chapter 179, Local Government Code, applies.

13           (19) Section 30.07(g-1), Penal Code, is amended to  
14 read as follows:

15           (g-1) It is a defense to prosecution under this section that  
16 the license holder is a first responder, as defined by Section  
17 46.01, who:

18           (1) holds an unexpired certificate of completion under  
19 Section 411.1883 [~~411.184~~], Government Code, at the time of  
20 engaging in the applicable conduct;

21           (2) was engaged in the actual discharge of the first  
22 responder's duties while carrying the handgun; and

23           (3) was employed or supervised by a municipality or  
24 county to which Chapter 179, Local Government Code, applies.

25           (20) Subsection (r), Section 46.15, Penal Code, as  
26 redesignated from Subsection (m), Section 46.15, Penal Code, by  
27 Section 24.001 of this Act, is amended to read as follows:

1           (r) [~~(m)~~] Sections 46.02, 46.03, and 46.035(b) and (c) do  
2 not apply to a first responder who:

3           (1) was carrying a handgun in a concealed manner or in  
4 a shoulder or belt holster;

5           (2) holds an unexpired certificate of completion under  
6 Section 411.1883 [~~411.184~~], Government Code, at the time of  
7 engaging in the applicable conduct;

8           (3) was engaged in the actual discharge of the first  
9 responder's duties while carrying the handgun; and

10           (4) was employed or supervised by a municipality or  
11 county to which Chapter 179, Local Government Code, applies.

12           (21) Section 504.202(e-1), Transportation Code, is  
13 amended to read as follows:

14           (e-1) Other than license plates issued under Subsection  
15 (h), license plates issued under this section may include, on  
16 request:

17           (1) the emblem of the veteran's branch of service; or

18           (2) one emblem from another license plate to which the  
19 person is entitled under Section 504.308, 504.309, 504.310(b),  
20 504.311, 504.312, 504.313, 504.3135, 504.314, 504.315, 504.316,  
21 504.3161, 504.318, 504.319, 504.320, 504.323, 504.325, [~~ex~~]  
22 504.327, 504.328, or 504.330.

23   ARTICLE 25. EFFECTIVE DATE

24           SECTION 25.001. This Act takes effect September 1, 2023.