

By: Pickett

H.B. No. 3441

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a reduction in expenditures of certain state
3 governmental entities, including changes affecting the Commission
4 on Human Rights, benefits under the state employees group benefits
5 program, attorney general's office, management of certain accounts
6 and funds, and certain election-related forms.

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

8 SECTION 1. Subchapter A, Chapter 21, Labor Code, is amended
9 by adding Section 21.0015 to read as follows:

10 Sec. 21.0015. ATTORNEY GENERAL'S CIVIL RIGHTS DIVISION.
11 The powers and duties exercised by the Commission on Human Rights
12 under this chapter are transferred to the attorney general's civil
13 rights division. A reference in this chapter to the "commission"
14 means the attorney general's civil rights division.

15 SECTION 2. Subchapter A, Chapter 301, Property Code, is
16 amended by adding Section 301.0015 to read as follows:

17 Sec. 301.0015. ATTORNEY GENERAL'S CIVIL RIGHTS DIVISION.
18 The powers and duties exercised by the Commission on Human Rights
19 under this chapter are transferred to the attorney general's civil
20 rights division. A reference in this chapter to the "commission"
21 means the attorney general's civil rights division.

22 SECTION 3. Chapter 402, Government Code, is amended by
23 adding Subchapter D to read as follows:

24 SUBCHAPTER D. CIVIL RIGHTS DIVISION

1 Sec. 402.101. DEFINITIONS. In this subchapter:

2 (1) "Commission" means the Commission on Human Rights.

3 (2) "Director" means the director of the division.

4 (3) "Division" means the civil rights division of the
5 attorney general's office.

6 Sec. 402.102. GENERAL PROVISIONS. (a) The division is an
7 independent division in the attorney general's office. The
8 division shall be responsible for administering Chapter 21, Labor
9 Code, and Chapter 301, Property Code, including exercising the
10 powers and duties formerly exercised by the former Commission on
11 Human Rights under those laws.

12 (b) A reference in Chapter 21, Labor Code, Chapter 301,
13 Property Code, or any other law to the former Commission on Human
14 Rights means the division.

15 Sec. 402.103. COMMISSION. (a) The division is governed by
16 a commission consisting of seven members as follows:

17 (1) one member who represents industry;

18 (2) one member who represents labor; and

19 (3) five members who represent the public.

20 (b) The members of the commission established under this
21 section shall be appointed by the governor. In making appointments
22 to the commission, the governor shall strive to achieve
23 representation on the commission that is diverse with respect to
24 disability, religion, age, economic status, sex, race, and
25 ethnicity.

26 (c) The governor shall appoint the public members of the
27 commission from a list of names of individuals suggested by civil

1 rights organizations and groups.

2 (d) The term of office of each commissioner is six years.
3 The governor shall designate one commissioner to serve as presiding
4 officer.

5 (e) A commissioner is entitled to reimbursement of actual
6 and necessary expenses incurred in the performance of official
7 duties.

8 (f) The commission shall establish policies for the
9 division and supervise the director in administering the activities
10 of the division.

11 (g) The commission is the state authority established as a
12 fair employment practice agency and is authorized, with respect to
13 an unlawful employment practice, to:

- 14 (1) grant relief from the practice;
15 (2) seek relief from the practice; or
16 (3) institute criminal proceedings.

17 Sec. 402.104. DIRECTOR. (a) The director shall be
18 appointed by the commission to administer the powers and duties of
19 the division.

20 (b) To be eligible for appointment, the director must have
21 relevant experience in the area of civil rights, specifically in
22 working to prevent the types of discrimination the division is
23 charged with preventing. The director must demonstrate a
24 commitment to equal opportunity for minorities, women, and the
25 disabled. The director should also have relevant experience with
26 housing and employment discrimination claims.

27 Sec. 402.105. INVESTIGATOR TRAINING PROGRAM; PROCEDURES

1 MANUAL. (a) A person who is employed under this chapter by the
2 division as an investigator may not conduct an investigation until
3 the person completes a comprehensive training and education program
4 for investigators that complies with this section.

5 (b) The training program must provide the person with
6 information regarding:

7 (1) the requirements relating to employment adopted
8 under the Americans with Disabilities Act (42 U.S.C. Section 12101
9 et seq.) and its subsequent amendments, with a special emphasis on
10 requirements regarding reasonable accommodations;

11 (2) various types of disabilities and accommodations
12 appropriate in an employment setting for each type of disability;
13 and

14 (3) fair employment and housing practices.

15 (c) Each investigator shall annually complete a continuing
16 education program designed to provide investigators with the most
17 recent information available regarding the issues described by
18 Subsection (b), including legislative and judicial changes in the
19 law.

20 (d) The director shall develop and biennially update an
21 investigation procedures manual. The manual must include
22 investigation procedures and information and may include
23 information regarding the Equal Employment Opportunity Commission
24 and the United States Department of Housing and Urban Development.

25 Sec. 402.106. ANALYSIS OF DISCRIMINATION COMPLAINTS;
26 REPORT. (a) The division shall collect and report statewide
27 information relating to employment and housing discrimination

1 complaints as required by this section.

2 (b) Each state fiscal year, the division shall collect and
3 analyze information regarding employment and housing
4 discrimination complaints filed with the division, the Equal
5 Employment Opportunity Commission, the United States Department of
6 Housing and Urban Development, and local commissions in this state.
7 The information must include:

8 (1) an analysis of employment complaints filed by the
9 basis of the complaint, including:

10 (A) sex, race, color, age, disability, national
11 origin, religion, and genetic information; and

12 (B) retaliatory actions against the complainant;

13 (2) an analysis of housing complaints filed by the
14 basis of the complaint, including sex, race, color, disability,
15 national origin, religion, and familial status;

16 (3) an analysis of employment complaints filed by
17 issue, including discharge, terms and conditions, sexual
18 harassment, promotion, hiring, demotion, and layoff;

19 (4) an analysis of housing complaints filed by issue,
20 including terms and conditions, refusal to rent or sell,
21 discriminatory financing or advertising, and false representation;

22 (5) an analysis of employment and housing cases closed
23 by the reason the case was closed, including findings or
24 determinations of cause or no cause, successful conciliation, right
25 to sue issued, complaint withdrawn after resolution, no-fault
26 settlement, failure to cooperate by the complainant, and lack of
27 jurisdiction; and

1 (6) the average processing time for complaints
2 resolved by the division in each state fiscal year, regardless of
3 whether the complaint was filed in the same fiscal year in which the
4 complaint was resolved.

5 (c) The results of an analysis required under this section
6 shall be included in the attorney general's annual report to the
7 governor and legislature.

8 SECTION 4. Section 412.016(b), Government Code, is amended
9 to read as follows:

10 (b) The legislature may appropriate money to the institute
11 to finance the performance of the duties of the institute. If the
12 legislature does not appropriate money to the institute, the
13 attorney general may determine whether the institute shall perform
14 the duties prescribed by this chapter.

15 SECTION 5. The heading for Section 443.0101, Government
16 Code, is amended to read as follows:

17 Sec. 443.0101. CAPITOL TRUST FUND; CAPITOL ACCOUNT.

18 SECTION 6. Section 443.0101(a), Government Code, is amended
19 to read as follows:

20 (a) Money and securities donated to the board shall be held
21 in the Capitol trust fund outside the treasury to be held by the
22 comptroller as trustee on behalf of the people of the state. Funds
23 other than donated funds shall be deposited in the general revenue
24 fund in an account [~~a special fund~~] to be known as the Capitol
25 account [~~fund~~]. The comptroller shall manage and invest the
26 account [~~fund~~] on behalf of the board as directed or agreed to by
27 the board.

1 SECTION 7. Section 443.0103, Government Code, is amended to
2 read as follows:

3 Sec. 443.0103. CAPITAL RENEWAL ACCOUNT [~~TRUST FUND~~]. (a)
4 The capital renewal account [~~trust fund~~] is created as a dedicated
5 account in the general revenue fund. Money in the account may be
6 used only [~~trust fund outside the treasury with the comptroller and~~
7 ~~shall be administered by the board, as a trustee on behalf of the~~
8 ~~people of this state,~~] to maintain and preserve the Capitol, the
9 General Land Office Building, their contents, and their grounds.
10 The account [~~fund~~] consists of money transferred to the account
11 [~~fund~~]:

12 (1) at the direction of the legislature; or

13 (2) in accordance with this section.

14 [~~(b) Money in the fund may be used only for the purpose of~~
15 ~~maintaining and preserving the Capitol, the General Land Office~~
16 ~~Building, their contents, and their grounds.~~]

17 (c) The interest received from investment of money in the
18 account [~~fund~~] shall be credited to the account [~~fund~~].

19 (d) The board may transfer money from [~~any account of~~] the
20 Capitol account [~~fund~~] to the capital renewal account [~~trust fund~~],
21 other than money that was donated to the board, derived from a
22 security or other thing of value donated to the board, or earned as
23 interest or other income on a donation to the board, if the board
24 determines that after the transfer there will be a sufficient
25 amount of money in the [~~applicable account of the~~] Capitol account
26 [~~fund~~] to accomplish the purposes for which the account was
27 created.

1 SECTION 8. Section 445.012, Government Code, is amended to
2 read as follows:

3 Sec. 445.012. MUSEUM ACCOUNT [~~FUND~~]. (a) Money and
4 securities received by the museum shall be deposited in the general
5 revenue fund [~~held in trust outside the treasury by the~~
6 ~~comptroller~~] in an account [~~a special fund~~] to be known as the Bob
7 Bullock Texas State History Museum account [~~fund~~]. The museum may
8 spend money received by the museum for any purpose connected with
9 the museum.

10 (b) The comptroller shall manage and invest the account
11 [~~fund~~] on behalf of the museum as directed or agreed to by the
12 museum. Interest, dividends, and other income of the account
13 [~~fund~~] shall be credited to the account [~~fund~~].

14 (c) The museum shall prepare a detailed annual report on the
15 account [~~fund~~]. That report must describe the status of the account
16 [~~fund~~], list all donations to the account [~~fund~~], including the
17 name of each donor, and list all disbursements from the account
18 [~~fund~~], including the purpose of each disbursement.

19 (d) The state auditor, based on a risk assessment and
20 subject to the legislative audit committee's approval of including
21 the review in the audit plan under Section 321.013, may [~~shall~~
22 ~~annually~~] review the annual report on the account [~~fund~~], and any
23 information used in preparing the report as the auditor determines
24 necessary, and shall report any findings or recommendations to the
25 museum and the legislative audit committee.

26 (e) The account [~~fund~~] is not subject to Subchapter F,
27 Chapter 404. A provision of this chapter or other law that provides

1 for the deposit of money or another thing of value into the account
2 [~~fund~~] prevails over Subchapter F, Chapter 404.

3 (f) Subtitle D, Title 10, does not apply to a purchase or
4 lease made with money from the account [~~fund~~].

5 SECTION 9. Section 1551.003, Insurance Code, as effective
6 June 1, 2003, is amended by amending Subdivisions (3), (9), and (11)
7 and adding Subdivision (15) to read as follows:

8 (3) "Basic coverage" means the group coverage plans
9 determined by the board of trustees in which each eligible
10 full-time employee and annuitant participates automatically unless
11 participation is specifically waived.

12 (9) "Full-time employee" means:

13 (A) an employee, other than an employee described
14 by Paragraph (B) or (C), who is designated by the employer as
15 working 40 [20] or more hours a week;

16 (B) an employee of the Texas School for the Blind
17 and Visually Impaired who is employed under a contract under
18 Section 30.024, Education Code, and who is designated as a
19 full-time employee by the superintendent of the school; or

20 (C) an employee of the Texas School for the Deaf
21 who is employed under a contract under Section 30.055, Education
22 Code, and who is designated as a full-time employee by the
23 superintendent of the school.

24 (11) "Part-time employee" means an employee
25 designated by the employer as working less than 40 [20] hours a
26 week.

27 (15) "Waiting period" means a 90-day period that

1 begins on the first day a person is employed by a state agency or
2 begins to hold an elected or appointed office of the state and ends
3 on the 91st day after that day. The term includes the 90-day period
4 that begins on the first day a former state employee is reemployed
5 or a former public officer begins to hold office again.

6 SECTION 10. Section 1551.101, Insurance Code, as effective
7 June 1, 2003, is amended by amending Subsections (a), (b), and (e)
8 and by adding Subsection (f) to read as follows:

9 (a) An elected or appointed officer or employee who performs
10 service, other than as an independent contractor, for this state,
11 including an institution of higher education, and who is described
12 by this section is eligible to participate in the group benefits
13 program as an employee on the first day of the calendar month that
14 follows the waiting period of the employee or officer.

15 (b) On the first day of the calendar month that follows an
16 individual's waiting period, the [An] individual is eligible to
17 participate in the group benefits program as provided by Subsection
18 (a) if the individual receives compensation for service performed
19 for this state pursuant to a payroll certified by a state agency,
20 other than an institution of higher education, or by an elected or
21 appointed officer of this state, including a payment made from:

22 (1) an amount appropriated by the legislature from a
23 state fund;

24 (2) a trust fund held by the comptroller; or

25 (3) money paid under the official budget of a state
26 agency, other than money appropriated under a general
27 appropriations act.

1 (e) On the first day of the calendar month that follows an
2 individual's waiting period, the [An] individual is eligible to
3 participate in the group benefits program as provided by Subsection
4 (a) if the individual receives compensation for service performed
5 for an institution of higher education pursuant to a payroll
6 certified by an institution of higher education or by an elected or
7 appointed officer of this state and ~~[either~~

8 ~~[(1)]~~ is eligible to be a member of the Teacher
9 Retirement System of Texas~~;~~ ~~or~~

10 ~~[(2) is employed at least 20 hours a week and is not~~
11 ~~permitted to be a member of the Teacher Retirement System of Texas~~
12 ~~because the individual is employed by an institution of higher~~
13 ~~education only in a position that as a condition of employment~~
14 ~~requires the individual to be enrolled as a student in the~~
15 ~~institution in graduate-level courses].~~

16 (f) The waiting period described by Subsections (a), (b),
17 and (e) applies only in determining the eligibility of an employee
18 or officer to participate in health benefits coverage under the
19 group benefits program. The waiting period does not apply in
20 determining the eligibility of an officer or employee to
21 participate in optional and voluntary insurance coverages under the
22 group benefits program.

23 SECTION 11. Sections 1551.102(a), (b), (c), (d), (f), and
24 (g), Insurance Code, as effective June 1, 2003, are amended to
25 conform to Section 27, Chapter 1231, Acts of the 77th Legislature,
26 Regular Session, 2001, and further amended to read as follows:

27 (a) An individual who has at least 10 years of service

1 credit, as determined by the board of trustees, for which the
 2 individual was eligible to participate in the group benefits
 3 program under Section 1551.101, or who has at least five years of
 4 membership and five years of military service credited in the
 5 Employees Retirement System of Texas, and who retires in a manner
 6 described by this section is eligible to participate as an
 7 annuitant in the group benefits program. An individual who does not
 8 retire at the end of the last month in which the individual is on the
 9 payroll of a state agency is eligible to enroll in the group
 10 benefits program as an annuitant on the first day of the calendar
 11 month that follows a period of time equal to the number of days in a
 12 waiting period after the date the individual retires.

13 (b) An individual is eligible to participate in the group
 14 benefits program as provided by Subsection (a) if the individual [~~+~~
 15 ~~(1)~~] retires under the jurisdiction of the Employees Retirement
 16 System of Texas[~~+~~] and [~~(2)~~] receives or is eligible to receive an
 17 annuity under:

18 (1) Section 814.104(a)(2), Government Code, and has at
 19 least 10 years of eligible service credit;

20 (2) Chapter 803, Government Code, or Section
 21 814.104(a)(1), Government Code, has at least 10 years of eligible
 22 service credit, and is at least 65 years of age; or

23 (3) [~~Subtitle B, D, or E, Title 8, Government Code, or~~
 24 Chapter 803, Government Code, that is based on at least 10 years of
 25 service credit or eligibility under] Section 814.002, [~~or~~] 814.102,
 26 814.104(b), 814.107(a), 834.101, or 839.101, Government Code.

27 (c) An individual is eligible to participate in the group

1 benefits program as provided by Subsection (a) if the individual[+
2 ~~(1)~~] retires under the jurisdiction of the Teacher Retirement
3 System of Texas, has at least 10 years of eligible service credit,
4 and:

5 (1) is at least 65 years of age or has accumulated an
6 amount of eligible service credit that, when added to the
7 individual's age, equals or exceeds the number 80;

8 (2) receives or is eligible to receive an annuity
9 under [~~Subtitle C, Title 8, Government Code, or~~] Chapter 803,
10 Government Code, and is at least 65 years of age [~~that is based on at~~
11 ~~least 10 years of service credit~~]; and

12 (3) was employed, as the last state employment before
13 retirement, including employment by a public junior college, by a
14 state agency whose employees are authorized to participate in the
15 group benefits program.

16 (d) An individual is eligible to participate in the group
17 benefits program as provided by Subsection (a) if the individual:

18 (1) retires under the optional retirement program
19 established by Chapter 830, Government Code, with at least 10 years
20 of eligible service; and

21 (2) receives or is eligible to receive an annuity
22 under that program and the individual:

23 (A) is at least 65 years of age and would have
24 been eligible to retire and receive a service or disability
25 retirement annuity from the Teacher Retirement System of Texas or
26 the Employees Retirement System of Texas based on at least 10 years
27 of service credit if the individual had not elected to participate

1 in the optional retirement program; or

2 (B) is disabled as determined by the Employees
3 Retirement System of Texas.

4 (f) An individual is eligible to participate as an annuitant
5 in the group benefits program [~~as provided by Subsection (a)~~] if the
6 individual is certified and qualified as disabled and receives or
7 is eligible to receive an annuity under Section 814.202, 814.207,
8 834.201, or 839.201, Government Code [~~a retired officer or employee~~
9 ~~of a retirement system described by Section 1551.111]~~].

10 (g) An individual is eligible to participate in the group
11 benefits program as provided by Subsection (a) if the individual is
12 at least 65 years of age and retires under a federal or state
13 statutory retirement program not described by another provision of
14 this section, to which an institution of higher education has made
15 employer contributions, and the individual has met service
16 requirements, age requirements, and other applicable requirements
17 comparable to the requirements for retirement under the Teacher
18 Retirement System of Texas, based on at least 10 years of service
19 credit.

20 SECTION 12. Section 1551.104, Insurance Code, as effective
21 June 1, 2003, is amended to read as follows:

22 Sec. 1551.104. AUTOMATIC COVERAGE. Subject to Sections
23 1551.101 and 1551.102, each [~~(a) — Each~~] full-time employee is
24 covered automatically by the basic coverage plan for employees and
25 each annuitant is covered by the basic coverage plan for annuitants
26 unless:

27 (1) participation is specifically waived; [~~or~~]

1 (2) the employee or annuitant is expelled from the
2 program under Section 1551.351; or

3 (3) eligibility for coverage is limited by another
4 section of this chapter.

5 ~~[(b) This section does not apply to an employee described by~~
6 ~~Section 1551.101(e)(2).]~~

7 SECTION 13. Section 1551.109(a), Insurance Code, as
8 effective June 1, 2003, is amended to read as follows:

9 (a) Subject to Section 1551.351, on application to the board
10 of trustees and arrangement for payment of contributions, an
11 individual participating in the group benefits program on August
12 31, 2003, as a current or a former member of a governing body with
13 administrative responsibility over a statutory state agency that
14 has statewide jurisdiction and whose employees are covered by this
15 chapter, or an individual participating in the group benefits
16 program on August 31, 2003, as a current or former member of the
17 State Board of Education or ~~[a former member of a governing body~~
18 ~~described by Section 1551.101(c) or a former member]~~ of the
19 governing body of an institution of higher education remains
20 eligible for participation in a health benefit plan offered under
21 this chapter if a lapse in coverage ~~[after the end of the former~~
22 ~~member's term]~~ has not occurred.

23 SECTION 14. Section 1551.111(b), Insurance Code, as
24 effective June 1, 2003, is amended to read as follows:

25 (b) Participation is limited to:

26 (1) an officer or employee of either system who is an
27 officer or employee of either system on the first day of the

1 calendar month that follows the waiting period of the officer or
2 employee;

3 (2) an eligible dependent of an officer or employee of
4 either system described by Subdivision (1);

5 (3) an individual who:

6 (A) was an officer or employee of either system;

7 (B) has retired from either system and meets the
8 eligibility requirements for participation under Section
9 1551.102(a);

10 (C) receives or is eligible to receive an annuity
11 from either system or under Chapter 803, Government Code, based on
12 at least 10 years of service credit and is at least 65 years of age;
13 and

14 (D) has at least 10 [~~three~~] years of service
15 credit with a state agency whose employees are authorized to
16 participate in the group benefits program; and

17 (4) an eligible dependent of a retired officer or
18 employee described by Subdivision (3).

19 SECTION 15. Section 1551.112(a), Insurance Code, as
20 effective June 1, 2003, is amended to read as follows:

21 (a) An individual may participate in the group benefits
22 program as an annuitant and may obtain coverage for the
23 individual's dependents as any other participating annuitant if the
24 individual:

25 (1) began employment with, or became an officer of,
26 the Texas Turnpike Authority within the three-year period preceding
27 August 31, 1997;

1 (2) was an officer or employee of the Texas Turnpike
2 Authority on August 31, 1997;

3 (3) became an officer or employee of the North Texas
4 Tollway Authority on September 1, 1997; and

5 (4) retires or is eligible to retire with at least 10
6 years of service credit under the proportionate retirement program
7 established by Chapter 803, Government Code, or under a public
8 retirement system to which Chapter 803 applies and is at least 65
9 years of age.

10 SECTION 16. Sections 2.014(c) and (d), Family Code, are
11 amended to read as follows:

12 (c) The premarital education handbook under Subsection
13 (b)(1) may [~~shall~~] be distributed to each applicant for a marriage
14 license as provided by Section 2.009(c)(5) and shall contain
15 information on:

- 16 (1) conflict management;
17 (2) communication skills;
18 (3) children and parenting responsibilities; and
19 (4) financial responsibilities.

20 (d) The attorney general may [~~shall~~] appoint an advisory
21 committee to assist in the development of the premarital education
22 handbook. If appointed, the [~~The~~] advisory committee shall consist
23 of nine members, including at least three members who are eligible
24 under Section 2.013(d) to provide a premarital education course. A
25 member of the advisory committee is not entitled to reimbursement
26 of the member's expenses.

27 SECTION 17. On September 1, 2003:

1 (1) the Commission on Human Rights as it exists
2 immediately before that date is abolished and the offices of the
3 members of the commission serving on that date are abolished;

4 (2) all powers, duties, functions, and activities
5 performed by the Commission on Human Rights immediately before that
6 date are transferred to the attorney general's civil rights
7 division;

8 (3) a rule, form, order, or procedure adopted by the
9 Commission on Human Rights is a rule, form, order, or procedure of
10 the attorney general's civil rights division and remains in effect
11 until changed by the attorney general;

12 (4) a reference in law to the Commission on Human
13 Rights means the attorney general's civil rights division;

14 (5) a complaint, investigation, or other proceeding
15 pending before the Commission on Human Rights under Chapter 21,
16 Labor Code, Chapter 301, Property Code, or any other law is
17 transferred without change in status to the attorney general's
18 civil rights division;

19 (6) all obligations, rights, and contracts of the
20 Commission on Human Rights are transferred to the attorney
21 general's civil rights division; and

22 (7) all property, including records and money, in the
23 custody of the Commission on Human Rights and all funds
24 appropriated by the legislature for the Commission on Human Rights,
25 including federal funds, shall be transferred to the attorney
26 general's civil rights division.

27 SECTION 18. Not later than November 1, 2003, the governor

1 shall appoint new members to the Commission on Human Rights
2 established under Subchapter D, Chapter 402, Government Code, as
3 added by this Act. In appointing members under this section, the
4 governor shall appoint:

- 5 (1) two members for terms expiring February 1, 2005;
- 6 (2) two members for terms expiring February 1, 2007;
- 7 and
- 8 (3) three members for terms expiring February 1, 2009.

9 SECTION 19. Notwithstanding any statute of this state, each
10 state agency that receives an appropriation under Article I of the
11 General Appropriations Act is authorized to reduce or recover
12 expenditures by adopting and collecting fees or charges to cover
13 any cost the agency incurs in performing its lawful functions.

14 SECTION 20. The following laws are repealed:

- 15 (1) Sections 251.032, 254.036(j), and 258.005,
16 Election Code;
- 17 (2) Chapter 461, Government Code;
- 18 (3) Sections 572.030(b) and (c), Government Code;
- 19 (4) Sections 1551.101(c) and (d), Insurance Code, as
20 effective June 1, 2003;
- 21 (5) Sections 21.002(2) and (3), Labor Code; and
- 22 (6) Sections 301.003(3), 301.061, and 301.064,
23 Property Code.

24 SECTION 21. This Act takes effect immediately if it
25 receives a vote of two-thirds of all the members elected to each
26 house, as provided by Section 39, Article III, Texas Constitution.
27 If this Act does not receive the vote necessary for immediate

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1 effect, this Act takes effect September 1, 2003.