

By: Pickett

H.B. No. 3441

Substitute the following for H.B. No. 3441:

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C.S.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 shall annually review the annual  
20 report on the account [~~fund~~], and any information used in preparing  
21 the report as the auditor determines necessary, and shall report  
22 any findings or recommendations to the museum and the legislative  
23 audit committee.

24 (e) The account [~~fund~~] is not subject to Subchapter F,  
25 Chapter 404. A provision of this chapter or other law that provides  
26 for the deposit of money or another thing of value into the account  
27 [~~fund~~] prevails over Subchapter F, Chapter 404.



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

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

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

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

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

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

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

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

25 (15) "Waiting period" means a 90-day period that  
26 begins on the first day a person is employed by a state agency or  
27 begins to hold an elected or appointed office of the state and ends

1 on the 91st day after that day. The term includes the 90-day period  
2 that begins on the first day a former state employee is reemployed  
3 or a former public officer begins to hold office again.

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

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

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

20 (1) an amount appropriated by the legislature from a  
21 state fund;

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

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

26 (e) On the first day of the calendar month that follows an  
27 individual's waiting period, the [An] individual is eligible to

1 participate in the group benefits program as provided by Subsection  
2 (a) if the individual receives compensation for service performed  
3 for an institution of higher education pursuant to a payroll  
4 certified by an institution of higher education or by an elected or  
5 appointed officer of this state and ~~[either~~

6 ~~[(1)]~~ is eligible to be a member of the Teacher  
7 Retirement System of Texas ~~[, or~~

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

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

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

25 (a) An individual who has at least 10 years of service  
26 credit, as determined by the board of trustees, for which the  
27 individual was eligible to participate in the group benefits

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

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

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

18 (2) Chapter 803, Government Code, or Section  
19 814.104(a)(1), Government Code, has at least 10 years of eligible  
20 service credit, and is at least 65 years of age; or

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

25 (c) An individual is eligible to participate in the group  
26 benefits program as provided by Subsection (a) if the individual~~[+~~  
27 ~~(1)~~] retires under the jurisdiction of the Teacher Retirement

1 System of Texas, has at least 10 years of eligible service credit,  
2 and:

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

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

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

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

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

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

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

27 (B) is disabled as determined by the Employees

1 Retirement System of Texas.

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

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

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

20 Sec. 1551.104. AUTOMATIC COVERAGE. Subject to Sections  
21 1551.101 and 1551.102, each [~~(a) — Each~~] full-time employee is  
22 covered automatically by the basic coverage plan for employees and  
23 each annuitant is covered by the basic coverage plan for annuitants  
24 unless:

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

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

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

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

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

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

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

23           (b) Participation is limited to:

24           (1) an officer or employee of either system who is an  
25 officer or employee of either system on the first day of the  
26 calendar month that follows the waiting period of the officer or  
27 employee;

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

3 (3) an individual who:

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

25 SECTION 17. On September 1, 2003:

26 (1) the Commission on Human Rights as it exists  
27 immediately before that date is abolished and the offices of the

1 members of the commission serving on that date are abolished;

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

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

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

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

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

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

25 SECTION 18. Not later than November 1, 2003, the governor  
26 shall appoint new members to the Commission on Human Rights  
27 established under Subchapter D, Chapter 402, Government Code, as

1 added by this Act. In appointing members under this section, the  
2 governor shall appoint:

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

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

12 SECTION 20. The following laws are repealed:

- 13 (1) Sections 251.032, 254.036(j), and 258.005,  
14 Election Code;
- 15 (2) Chapter 461, Government Code;
- 16 (3) Sections 572.030(b) and (c), Government Code;
- 17 (4) Sections 1551.101(c) and (d), Insurance Code, as  
18 effective June 1, 2003;
- 19 (5) Sections 21.002(2) and (3) and 412.0111, Labor  
20 Code; and
- 21 (6) Sections 301.003(3), 301.061, and 301.064,  
22 Property Code.

23 SECTION 21. This Act takes effect immediately if it  
24 receives a vote of two-thirds of all the members elected to each  
25 house, as provided by Section 39, Article III, Texas Constitution.  
26 If this Act does not receive the vote necessary for immediate  
27 effect, this Act takes effect September 1, 2003.