

BILL ANALYSIS

Senate Research Center
81R721 CAS-D

S.B. 1969
By: West
Administration
4/10/2009
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Legislative Council (TLC) is required by Section 323.007 (Statutory Revision Program), Government Code, to carry out a complete nonsubstantive revision of the Texas statutes. The process involves reclassifying and rearranging the statutes in a more logical order, employing a numbering system and format that will accommodate future expansion of the law, eliminating repealed, invalid, duplicative, and other ineffective provisions, and improving the draftsmanship of the law, if practicable—all toward promoting the stated purpose of making the statutes "more accessible, understandable, and usable" without altering the sense, meaning, or effect of the law.

The 80th Legislature adopted additions to the Business & Commerce Code, Insurance Code, Local Government Code, and Special District Local Laws Code. The same legislature passed substantive bills that amended the codified statutes. Under Section 311.031(c) (relating to the repeal of a statute by a code not affecting an amendment, revision, or reenactment), Government Code, those substantive amendments are given effect as part of the codified law.

As proposed, S.B. 1969 conforms additions to the Business & Commerce Code, Insurance Code, Local Government Code, and Special District Local Laws Code that were enacted by the 80th Legislature to other acts of the 80th Legislature, makes corrections to the codes, conforms other laws to the codes, and codifies other existing laws as new provisions in the codes. The bill makes various nonsubstantive amendments to enacted codes, including amendments to conform the codes to acts of previous legislatures, correct references and terminology, properly organize and number the law, and codify other law that properly belongs in those codes. The bill renumbers and reletters provisions of enacted codes and changes references to eliminate duplicated citations, relocate misplaced provisions, and correct corresponding references. Finally, the bill provides that it is a nonsubstantive revision that does not affect other acts of the 81st Legislature.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

ARTICLE 1. GENERAL PROVISIONS

(Pages 1-2 of this bill.)

ARTICLE 2. CHANGES RELATING TO AGRICULTURE CODE

(Pages 2-6 of this bill.)

ARTICLE 3. CHANGES RELATING TO ALCOHOLIC BEVERAGE CODE

(Pages 6-7 of this bill.)

ARTICLE 4. CHANGES RELATING TO BUSINESS & COMMERCE CODE

(Pages 7-39 of this bill.)

ARTICLE 5. CHANGES RELATING TO CIVIL PRACTICE AND REMEDIES CODE

(Pages 39-47 of this bill.)

ARTICLE 6. CHANGES RELATING TO CODE OF CRIMINAL PROCEDURE
(Pages 47-59 of this bill.)

ARTICLE 7. CHANGES RELATING TO EDUCATION CODE
(Pages 59-67 of this bill.)

ARTICLE 8. CHANGES RELATING TO ELECTION CODE
(Page 67 of this bill.)

ARTICLE 9. CHANGES RELATING TO FAMILY CODE
(Pages 67-68 of this bill.)

ARTICLE 10. CHANGES RELATING TO FINANCE CODE
(Pages 68-73 of this bill.)

ARTICLE 11. CHANGES RELATING TO GOVERNMENT CODE
(Pages 73-148 of this bill.)

ARTICLE 12. CHANGES RELATING TO HEALTH AND SAFETY CODE
(Pages 148-163 of this bill.)

ARTICLE 13. CHANGES RELATING TO HUMAN RESOURCES CODE
(Pages 164-174 of this bill.)

ARTICLE 14. CHANGES RELATING TO INSURANCE CODE
(Pages 174-196 of this bill.)

ARTICLE 15. CHANGES RELATING TO LOCAL GOVERNMENT CODE
(Pages 196-223 of this bill.)

ARTICLE 16. CHANGES RELATING TO NATURAL RESOURCES CODE
(Pages 223-224 of this bill.)

ARTICLE 17. CHANGES RELATING TO OCCUPATIONS CODE
(Pages 224-231 of this bill.)

ARTICLE 18. CHANGES RELATING TO PARKS AND WILDLIFE CODE
(Page 231 of this bill.)

ARTICLE 19. CHANGES RELATING TO PENAL CODE
(Pages 231-237 of this bill.)

ARTICLE 20. CHANGES RELATING TO PROPERTY CODE
(Pages 237-244 of this bill.)

ARTICLE 21. CHANGES RELATING TO SPECIAL DISTRICT LOCAL LAWS
(Pages 244-307 of this bill.)

ARTICLE 22. CHANGES RELATING TO TAX CODE
(Pages 307-321 of this bill.)

ARTICLE 23. CHANGES RELATING TO TRANSPORTATION CODE
(Pages 321-329 of this bill.)

ARTICLE 24. CHANGES RELATING TO WATER CODE
(Pages 329-331 of this bill.)

ARTICLE 25. CHANGES RELATING TO VARIOUS CODES TO UPDATE
REFERENCES TO OR CONCERNING THE TEXAS DEPARTMENT OF CRIMINAL
JUSTICE
(Pages 332-420 of this bill.)

ARTICLE 26. REPEAL OF CERTAIN UNCONSTITUTIONAL CIVIL STATUTES
(Pages 420-421 of this bill.)

ARTICLE 27. RENUMBERING
(Pages 421-458 of this bill.)

ARTICLE 28. EFFECTIVE DATE: Effective date: September 1, 2009.
(Page 459 of this bill.)