

BILL ANALYSIS

C.S.H.B. 3474
By: Coleman
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that counties currently face a wide variety of pressing issues that merit legislative attention. The parties note that among these issues are matters relating to a lack of information on how population growth is affecting counties, mental health first aid training, and graffiti removal. C.S.H.B. 3474 seeks to address these issues.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3474 establishes the Task Force to Study Population Growth in Texas for the purposes of assessing the effects of population growth on counties in Texas relating to housing, businesses, available land resources, the state economy, health care services, and county jails. The bill establishes the composition of the task force and requires appointments to the task force be made not later than December 1, 2015. The bill provides for a presiding officer, staff support, and required public hearings. The bill establishes that a task force member is not entitled to receive compensation for service on the task force but entitles a member to reimbursement of the travel expenses incurred by the member while conducting the business of the task force. The bill authorizes the task force to accept gifts and grants from any source to be used to carry out a function of the task force. The bill requires the task force, not later than November 1, 2016, to submit a final report to the governor, the lieutenant governor, the speaker of the house of representatives, and the appropriate standing committees of the legislature and requires the report to include a summary and analysis of hearings and studies conducted by the task force, legislation proposed by the task force, and other findings and recommendations made by the task force. The bill abolishes the task force on August 31, 2017, and sets the bill's provisions relating to the task force to expire on that date.

C.S.H.B. 3474 repeals provisions in the Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, that cap the total amount for a state fiscal year the Department of State Health Services (DSHS) may grant to a local mental health authority for certain training of mental health first aid trainers at the lesser of \$30,000 or three percent of the funds appropriated to DSHS for making such grants and that cap the total amount for a state fiscal year DSHS may grant to a local mental health authority for training certain educators in mental health first aid at the lesser of \$40,000 or three percent of the funds appropriated to DSHS for making such grants. The bill instead amends the Health and Safety

Code to cap the amount DSHS may give to a local mental health authority for a state fiscal year in the form of grants for certain training of mental health first aid trainers and for training certain educators in mental health first aid at the lesser of three percent of the total amount appropriated to DSHS for making such grants or \$70,000. The bill authorizes DSHS for each state fiscal year to allocate any unobligated money appropriated for making such grants for supplemental grants and to give a supplemental grant to a local mental health authority that submits to DSHS a revised plan for mental health first aid training programs for certain educators that demonstrates how the additional grant money would be used if made available to the authority. The bill changes the deadline by which a local mental health authority is required to submit a plan for mental health first aid training programs for certain educators from not later than October 1, to not later than July 1, of a state fiscal year for which the authority will seek an applicable grant. The bill expands from educators to school district employees and school resource officers the persons to be provided the training. The bill defines "school district employee" as a person employed by a school district who regularly interacts with students through the course of the person's duties. The bill specifies that it is the successful completion by these same employees and officers that triggers the requirement for grants to be awarded by DSHS to the authority.

C.S.H.B. 3474 changes the deadline by which a local mental health authority is required to provide certain information regarding mental health first aid training programs to DSHS from not later than July 1 of each year to not later than September 30 of each year and specifies that such information is for the preceding fiscal year. The bill changes the deadline by which DSHS is required to compile the information submitted by local mental health authorities and submit that information in a report to the legislature from not later than August 1 of each year to not later than December 1 of each year.

C.S.H.B. 3474 amends and repeals provisions in the Education Code to replace instruction in detection of students with mental or emotional disorders with instruction regarding mental health, substance abuse, and youth suicide as instruction a person must receive as part of the training required to obtain certain educator certification. The bill requires the instruction to be provided through a program selected from the list of recommended best practice-based programs established under Health and Safety Code provisions relating to mental health promotion and intervention, substance abuse prevention and intervention, and suicide prevention.

C.S.H.B. 3474 repeals a Local Government Code provision requiring a county's order or a municipality's ordinance that requires a property owner to remove graffiti from the owner's property on receipt of notice to provide that a county or municipality may not give such notice to a property owner unless the county or municipality has offered to remove the graffiti from the owner's property free of charge and the property owner has refused the offer.

C.S.H.B. 3474 repeals the following provisions:

- Section 21.044(c-2), Education Code
- Section 1001.202(c), Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013
- Section 1001.203(b), Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013
- Section 250.006(b), Local Government Code

EFFECTIVE DATE

September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3474 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Article 26.05(b), Code of Criminal Procedure, is amended to read as follows:

No equivalent provision.

(b) All payments made under this article shall be paid in accordance with a schedule of fees adopted by formal action of the judges of the county courts, statutory county courts, and district courts trying criminal cases in each county. Not later than the 90th day before the first day of the county's fiscal year, [On adoption of] a schedule of fees for that fiscal year must be adopted and [as provided by this subsection,] a copy of the schedule must [shall] be sent to the commissioners court of the county.

SECTION 2. Section 3, Article 42.09, Code of Criminal Procedure, is amended to read as follows:

No equivalent provision.

Sec. 3. If a defendant [~~is~~] convicted of a felony is [and] sentenced to death or to [-] life [-, or a term of more than ten years] in the Texas Department of Criminal Justice or is ineligible for release on bail pending appeal under Article 44.04(b) and [he] gives notice of appeal, the defendant [he] shall be transferred to the department on a commitment pending a mandate from the court of appeals or the Court of Criminal Appeals.

SECTION 3. The heading to Section 31.092, Election Code, is amended to read as follows:

No equivalent provision.

Sec. 31.092. CONTRACT FOR ELECTION SERVICES AUTHORIZED FOR COUNTY ELECTION OFFICER.

SECTION 4. Section 31.092, Election Code, is amended by adding Subsection (f) to read as follows:

No equivalent provision.

(f) The county election officer may set a deadline for the submission of a request to enter into a contract to perform election services under this section.

SECTION 5. The heading to Section 31.093, Election Code, is amended to read

No equivalent provision.

as follows:

Sec. 31.093. [DUTY TO] CONTRACT FOR ELECTION SERVICES AUTHORIZED FOR COUNTY ELECTIONS ADMINISTRATOR.

SECTION 6. Section 31.093, Election Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) If requested to do so by a political subdivision or political party, the county elections administrator may ~~shall~~ enter into a contract to furnish the election services requested, in accordance with a cost schedule agreed on by the contracting parties.

(c) The county elections administrator may set a deadline for the submission of a request to enter into a contract to provide election services under this section.

No equivalent provision.

SECTION 7. Section 84.001(d), Election Code, is amended to read as follows:

(d) An application must be submitted ~~by mail~~ to the early voting clerk for the election who serves the election precinct of the applicant's residence.

No equivalent provision.

SECTION 8. Section 84.007(b), Election Code, is amended to read as follows:

(b) An application must be submitted to the early voting clerk by:

- (1) mail;
- (2) common or contract carrier; ~~or~~
- (3) telephonic facsimile machine, if a machine is available in the clerk's office; or
- (4) electronic submission of the application, if authorized by the clerk.

No equivalent provision.

SECTION 9. Subchapter B, Chapter 84, Election Code, is amended by adding Section 84.038 to read as follows:

Sec. 84.038. CANCELLATION EFFECTIVE FOR SINGLE ELECTION FOR CERTAIN VOTERS. The cancellation of an application for a ballot to be voted by mail under Section 84.032(c), (d), or (e) does not cancel the application with respect to a subsequent election to which the same application applies under

No equivalent provision.

Section 86.0015(b).

SECTION 10. Section 86.006, Election Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) A marked ballot voted under this chapter must be returned to the early voting clerk in the official carrier envelope. The carrier envelope may be delivered in another envelope and must be transported and delivered only by:

- (1) mail;
 - (2) ~~or by~~ common or contract carrier; or
 - (3) subject to Subsection (a-1), in-person delivery by the voter who voted the ballot.
- (a-1) The voter may deliver a marked ballot in person to the early voting clerk's office only while the polls are open on election day. A voter who delivers a marked ballot in person must present an acceptable form of identification described by Section 63.0101.

No equivalent provision.

SECTION 11. Subchapter B, Chapter 826, Health and Safety Code, is amended by adding Section 826.018 to read as follows:

Sec. 826.018. LOCAL RABIES CONTROL PROGRAMS. (a) This section applies to a veterinarian who:

- (1) is employed by a county; and
- (2) administers or supervises the administration of rabies vaccine as part of a local rabies control program established by a county or municipality under this chapter.

(b) A veterinarian described by Subsection (a) is not required to establish a veterinarian-client-patient relationship before administering rabies vaccine or supervising the administration of rabies vaccine.

(c) To the extent of any conflict between this section and any other law or rule relating to the administration of rabies vaccine, this section controls.

No equivalent provision.

SECTION 12. Subchapter B, Chapter 232, Local Government Code, is amended by adding Section 232.0375 to read as follows:

Sec. 232.0375. ALTERNATIVE ENFORCEMENT; CITATION. (a) As an alternative to an action to recover a civil penalty under Section 232.037(a)(3) for the

No equivalent provision.

enforcement of a rule or requirement adopted by the commissioners court under this subchapter that prohibits more than one single-family, detached dwelling to be located on each lot, the commissioners court may authorize a county employee to issue a citation to a subdivider for a violation of the rule or requirement.

(b) The commissioners court may designate the county employee as a county inspector.

(c) The commissioners court may adopt a standard civil penalty, in an amount authorized under Section 232.035(c), to be assessed for the violation for which the citation may be issued by the county employee under Subsection (a), except the penalty amount assessed by each citation may not exceed a total penalty of \$10,000. Each day a violation continues or occurs may be considered a separate violation for purposes of imposing a penalty.

(d) The county employee may issue subsequent citations to a subdivider for a violation if the subdivider fails to correct the violation for which a citation has been issued.

(e) A subdivider who is issued a citation under this section may pay the civil penalty or contest the penalty in justice court. Venue for an action under this subsection is the justice court in the justice precinct in which the violation occurred.

(f) A civil penalty recovered under this section shall be deposited in the county treasury to the credit of the general fund.

(g) The commissioners court by order may adopt rules to implement this section.

SECTION 13. Subchapter C, Chapter 232, Local Government Code, is amended by adding Section 232.0805 to read as follows:

Sec. 232.0805. ALTERNATIVE ENFORCEMENT; CITATION. (a) As an alternative to an action to recover a civil penalty under Section 232.080(a)(3) for the enforcement of a rule or requirement adopted by the commissioners court under this subchapter that prohibits more than one single-family, detached dwelling to be located on each lot, the commissioners court may authorize a county employee to issue a citation to a subdivider for a violation of the rule or requirement.

(b) The commissioners court may designate

No equivalent provision.

the county employee as a county inspector.
(c) The commissioners court may adopt a standard civil penalty, in an amount authorized under Section 232.079(b), to be assessed for the violation for which the citation may be issued by the county employee under Subsection (a), except the penalty amount assessed by each citation may not exceed a total penalty of \$10,000. Each day a violation continues or occurs may be considered a separate violation for purposes of imposing a penalty.
(d) The county employee may issue subsequent citations to a subdivider for a violation if the subdivider fails to correct the violation for which a citation has been issued.
(e) A subdivider who is issued a citation under this section may pay the civil penalty or contest the penalty in justice court. Venue for an action under this subsection is the justice court in the justice precinct in which the violation occurred.
(f) A civil penalty recovered under this section shall be deposited in the county treasury to the credit of the general fund.
(g) The commissioners court by order may adopt rules to implement this section.

SECTION 14. Section 233.061(a), Local Government Code, is amended to read as follows:

(a) The commissioners court of a county [~~with a population of over 250,000 or a county adjacent to a county with a population of over 250,000~~] may adopt a fire code and rules necessary to administer and enforce the fire code.

No equivalent provision.

SECTION 15. Section 263.251(a), Local Government Code, is amended to read as follows:

(a) The commissioners court of a county may adopt a procedure by which the county may:
(1) lease to another entity advertising space located:
(A) in or on a building or part of a building owned by the county;
(B) on personal property [~~a vehicle~~] owned by the county;
(C) on an official county website; [~~or~~]
(D) in or on a building or part of a building

No equivalent provision.

leased by the county, with the building owner's consent; or
(E) on personal property [a-vehiele] leased by the county, with the property [vehiele] owner's consent; or
(2) sell advertising space located on correspondence distributed by the county through the United States Postal Service.

SECTION 16. The heading to Section 271.9051, Local Government Code, is amended to read as follows:
Sec. 271.9051. CONSIDERATION OF LOCATION OF BIDDER'S PRINCIPAL PLACE OF BUSINESS IN CERTAIN MUNICIPALITIES AND COUNTIES.

No equivalent provision.

SECTION 17. Sections 271.9051(a), (b), and (c), Local Government Code, are amended to read as follows:
(a) This section applies only to a municipality or county that is authorized under this title to purchase real property or personal property that is not affixed to real property.
(b) In purchasing under this title any real property, personal property that is not affixed to real property, or services, if a municipality or county receives one or more competitive sealed bids from a bidder whose principal place of business is in the municipality or county and whose bid is within five percent of the lowest bid price received by the municipality or county from a bidder who is not a resident of the municipality or county, the municipality or county may enter into a contract for construction services in an amount of less than \$100,000 or a contract for other purchases in an amount of less than \$500,000 with:
(1) the lowest bidder; or
(2) the bidder whose principal place of business is in the municipality or county if the governing body of the municipality or county determines, in writing, that the local bidder offers the municipality or county the best combination of contract price and additional economic development opportunities for the municipality or county created by the contract award, including the employment of residents of the municipality or county and increased tax revenues to the

No equivalent provision.

municipality or county.

(c) This section does not prohibit a municipality or county from rejecting all bids.

SECTION 18. Section 72.101(a), Property Code, is amended to read as follows:

(a) Except as provided by this section and Sections 72.1015, 72.1016, 72.1017, [~~and~~] 72.102, and 72.104, personal property is presumed abandoned if, for longer than three years:

(1) the existence and location of the owner of the property is unknown to the holder of the property; and

(2) according to the knowledge and records of the holder of the property, a claim to the property has not been asserted or an act of ownership of the property has not been exercised.

No equivalent provision.

SECTION 19. Subchapter B, Chapter 72, Property Code, is amended by adding Section 72.104 to read as follows:

Sec. 72.104. TANGIBLE PERSONAL PROPERTY HELD BY COUNTY.

Tangible personal property that is found on county land or in a county park, facility, or right-of-way is presumed abandoned if, for longer than 60 days:

(1) the personal property is held by the county;

(2) the existence and location of the owner of the personal property is unknown to the county; and

(3) according to the knowledge and records of the county, a claim to the personal property has not been asserted or an act of ownership of the personal property has not been exercised.

No equivalent provision.

SECTION 20. Section 644.101(c), Transportation Code, is amended to read as follows:

(c) A sheriff or a deputy sheriff of a county bordering the United Mexican States or of a county with a population of 700,000 [~~one million~~] or more is eligible to apply for certification under this section.

No equivalent provision.

SECTION 21. (a) In this section, "task

SECTION 1. (a) In this section, "task force"

force" means the Task Force to Study Population Growth in Texas established under this section.

(b) The Task Force to Study Population Growth in Texas is established for the purposes of assessing the effects of population growth in this state on:

- (1) housing;
- (2) businesses in this state;
- (3) available land resources; and
- (4) the state's economy.

(c) The task force is composed of the following nine members:

- (1) three state or local officials appointed by the governor;
- (2) three state or local officials appointed by the lieutenant governor; and
- (3) three state or local officials appointed by the speaker of the house of representatives.

(d) The members of the task force shall elect a presiding officer.

(e) The offices of the governor, lieutenant governor, and speaker of the house of representatives shall provide staff support to the task force.

(f) The task force shall hold public hearings to achieve the purposes described by Subsection (b).

(g) A member of the task force is not entitled to receive compensation for service on the task force but is entitled to reimbursement of the travel expenses incurred by the member while conducting the business of the task force.

(h) The task force may accept gifts and grants from any source to be used to carry out a function of the task force.

(i) Not later than November 1, 2016, the task force shall submit a final report to the governor, the lieutenant governor, the speaker of the house of representatives, and the appropriate standing committees of the legislature. The report shall include a summary and analysis of:

- (1) hearings and studies conducted by the task force;
- (2) legislation proposed by the task force; and
- (3) other findings and recommendations made by the task force.

means the Task Force to Study Population Growth in Texas established under this section.

(b) The Task Force to Study Population Growth in Texas is established for the purposes of assessing the effects of population growth on counties in this state relating to:

- (1) housing;
- (2) businesses;
- (3) available land resources;
- (4) the state's economy;
- (5) health care services; and
- (6) county jails.

(c) The task force is composed of the following nine members:

- (1) three state or local officials appointed by the governor;
- (2) three state or local officials appointed by the lieutenant governor; and
- (3) three state or local officials appointed by the speaker of the house of representatives.

(d) The members of the task force shall elect a presiding officer from among the membership.

(e) The offices of the governor, lieutenant governor, and speaker of the house of representatives shall provide staff support to the task force.

(f) The task force shall hold public hearings to achieve the purposes described by Subsection (b) of this section.

(g) A member of the task force is not entitled to receive compensation for service on the task force but is entitled to reimbursement of the travel expenses incurred by the member while conducting the business of the task force.

(h) The task force may accept gifts and grants from any source to be used to carry out a function of the task force.

(i) Not later than November 1, 2016, the task force shall submit a final report to the governor, the lieutenant governor, the speaker of the house of representatives, and the appropriate standing committees of the legislature. The report shall include a summary and analysis of:

- (1) hearings and studies conducted by the task force;
- (2) legislation proposed by the task force; and
- (3) other findings and recommendations made by the task force.

(j) Not later than December 1, 2015, the governor, the lieutenant governor, and the speaker of the house of representatives shall make the appointments to the task force as described under Subsection (c).

(k) The task force is abolished and this section expires August 31, 2017.

SECTION 22. (a) Article 26.05(b), Code of Criminal Procedure, as amended by this Act, applies only to the adoption of a schedule of fees for a county fiscal year starting on or after January 1, 2016.

(b) Sections 232.0375 and 232.0805, Local Government Code, as added by this Act, apply only to a violation that occurs on or after the effective date of this Act. A violation that occurs before that date is governed by the law in effect on the date the violation occurred, and the former law is continued in effect for that purpose. For purposes of this section, each day a violation continues or occurs is considered a separate violation.

(c) Section 271.9051, Local Government Code, as amended by this Act, applies only to a contract for which the initial notice soliciting bids is given on or after the effective date of this Act. A contract for which the initial notice soliciting bids is given before the effective date of this Act is governed by the law in effect when the initial notice is given, and the former law is continued in effect for that purpose.

No equivalent provision.

No equivalent provision.

(j) Not later than December 1, 2015, the governor, the lieutenant governor, and the speaker of the house of representatives shall make the appointments to the task force as described under Subsection (c) of this section.

(k) The task force is abolished and this section expires August 31, 2017.

No equivalent provision.

SECTION 2. Section 1001.201, Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, is amended by adding Subdivisions (4) and (5) to read as follows:

(4) "School district employee" means a person employed by a school district who regularly interacts with students through the course of the person's duties, including an educator, a secretary, a school bus driver, or a cafeteria worker.

(5) "School resource officer" has the meaning assigned by Section 1701.601, Occupations Code.

SECTION 3. Subchapter H, Chapter 1001,

Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, is amended by adding Section 1001.2015 to read as follows:

Sec. 1001.2015. LIMITATION ON GRANTS. For each state fiscal year, the department may give to a local mental health authority in the form of grants under Sections 1001.202 and 1001.203 an amount that may not exceed the lesser of:

- (1) three percent of the total amount appropriated to the department for making grants under those sections; or
- (2) \$70,000.

No equivalent provision.

SECTION 4. Section 1001.202(b), Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, is amended to read as follows:

(b) ~~The [Except as provided by Subsection (e), the]~~ department shall make each grant to a local mental health authority under this section in an amount equal to \$1,000 times the number of employees or contractors of the authority whose training as mental health first aid trainers will be paid by the grant.

No equivalent provision.

SECTION 5. Sections 1001.203(a) and (c), Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, are amended to read as follows:

(a) To the extent funds are appropriated to the department for that purpose, the department shall make grants to local mental health authorities to provide an approved mental health first aid training program, administered by mental health first aid trainers, at no cost to school district employees and school resource officers [educators].

(c) ~~The [Subject to the limit provided by Subsection (b), out of the funds appropriated to the department for making grants under this section, the]~~ department shall grant \$100 to a local mental health authority for each school district employee or school resource officer [educator] who successfully completes a mental health first aid training program provided by the authority under

this section.

No equivalent provision.

SECTION 6. Subchapter H, Chapter 1001, Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, is amended by adding Section 1001.2031 to read as follows:

Sec. 1001.2031. SUPPLEMENTAL GRANTS FOR TRAINING CERTAIN EDUCATORS IN MENTAL HEALTH FIRST AID. For each state fiscal year, the department may allocate any unobligated money appropriated for making grants under Sections 1001.202 and 1001.203 for supplemental grants. The department may give a supplemental grant to a local mental health authority that submits to the department a revised plan as provided under Section 1001.204 that demonstrates how the additional grant money would be used if made available to the authority.

No equivalent provision.

SECTION 7. Section 1001.204(a), Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, is amended to read as follows:

(a) Not later than July [~~October~~] 1 of each state fiscal year for which a local mental health authority will seek a grant from the department under Section 1001.203, the authority shall submit to the department a plan demonstrating the manner in which grants made to the authority under that section will be used:

- (1) to train individuals in mental health first aid throughout the authority's local service area to maximize the number of children who have direct contact with an individual who has successfully completed a mental health first aid training program provided by the authority;
- (2) to meet the greatest needs of the authority's local service area, as identified by the authority; and
- (3) to complement existing resources and not duplicate established mental health first aid training efforts.

No equivalent provision.

SECTION 8. Section 1001.205, Health and Safety Code, as added by Chapter 1306

(H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, is amended to read as follows:

Sec. 1001.205. REPORTS. (a) Not later than September 30 [~~July 1~~] of each year, a local mental health authority shall provide to the department the number of:

(1) employees and contractors of the authority who were trained as mental health first aid trainers under Section 1001.202 during the preceding fiscal year;

(2) educators, school district employees other than educators, and school resource officers who completed a mental health first aid training program offered by the authority under Section 1001.203 during the preceding fiscal [~~calendar~~] year; and

(3) individuals who are not school district employees or school resource officers [~~educators~~] who completed a mental health first aid training program offered by the authority during the preceding fiscal [~~calendar~~] year.

(b) Not later than December 1 [~~August 1~~] of each year, the department shall compile the information submitted by local mental health authorities as required by Subsection (a) and submit a report to the legislature containing the number of:

(1) authority employees and contractors trained as mental health first aid trainers during the preceding fiscal year;

(2) educators, school district employees other than educators, and school resource officers who completed a mental health first aid training program provided by an authority during the preceding fiscal [~~calendar~~] year; and

(3) individuals who are not school district employees or school resource officers [~~educators~~] who completed a mental health first aid training program provided by an authority during the preceding fiscal [~~calendar~~] year.

No equivalent provision.

SECTION 9. Section 21.044(c-1), Education Code, is amended to read as follows:

(c-1) Any minimum academic qualifications for a certificate specified under Subsection (a) that require a person to possess a bachelor's degree must also require that the person receive, as part of the training required to obtain that certificate,

instruction regarding mental health, substance abuse, and youth suicide. The instruction required must be provided through a program selected from the list of recommended best practice-based programs established under Section 161.325, Health and Safety Code [in detection of students with mental or emotional disorders].

No equivalent provision.

SECTION 10. The following are repealed:
(1) Section 21.044(c-2), Education Code;
(2) Section 1001.202(c), Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013;
(3) Section 1001.203(b), Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013; and
(4) Section 250.006(b), Local Government Code.

SECTION 23. This Act takes effect September 1, 2015.

SECTION 11. Same as introduced version.