

By: West

S.B. No. 1296

A BILL TO BE ENTITLED

AN ACT

1
2 relating to nonsubstantive additions to and corrections in enacted
3 codes, to the nonsubstantive codification or disposition of various
4 laws omitted from enacted codes, and to conforming codifications
5 enacted by the 83rd Legislature to other Acts of that legislature.

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

7 ARTICLE 1. GENERAL PROVISIONS

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

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

15 (2) conforming codifications enacted by the 83rd
16 Legislature to other Acts of that legislature that amended the laws
17 codified or added new law to subject matter codified;

18 (3) making necessary corrections to enacted
19 codifications; and

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

23 SECTION 1.002. (a) The repeal of a statute by this Act does
24 not affect an amendment, revision, or reenactment of the statute by

1 the 84th Legislature, Regular Session, 2015. The amendment,
2 revision, or reenactment is preserved and given effect as part of
3 the code provision that revised the statute so amended, revised, or
4 reenacted.

5 (b) If any provision of this Act conflicts with a statute
6 enacted by the 84th Legislature, Regular Session, 2015, the statute
7 controls.

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

11 (b) The repeal of a transition or saving provision by this
12 Act does not affect the application of the provision to the codified
13 law.

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

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20 affect in any manner a validation under the repealed law.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

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

25 ARTICLE 2. CHANGES RELATING TO ALCOHOLIC BEVERAGE CODE

26 SECTION 2.001. Section [11.72](#), Alcoholic Beverage Code, as
27 amended by Chapters 451 (S.B. 828) and 1190 (S.B. 1090), Acts of the

1 83rd Legislature, Regular Session, 2013, is reenacted and amended
2 to read as follows:

3 Sec. 11.72. DISCIPLINE FOR ACTIONS OF AGENT. The
4 commission or administrator may suspend or revoke the permit of a
5 person who is represented by the holder of an agent's permit under
6 Section 15.01, 35.01 [~~or a manufacturer's agent's permit as~~
7 ~~described by Section 36.01~~], or 36.01 or otherwise discipline the
8 person based on an act or omission of the holder of the agent's [~~or~~
9 ~~manufacturer's agent's~~] permit only if an individual employed by
10 the person in a supervisory position:

11 (1) was directly involved in the act or omission of the
12 holder of the agent's [~~or manufacturer's agent's~~] permit;

13 (2) had notice or knowledge of the act or omission; or

14 (3) failed to take reasonable steps to prevent the act
15 or omission.

16 SECTION 2.002. Section 14.01(a), Alcoholic Beverage Code,
17 as amended by Chapters 106 (S.B. 905), 195 (S.B. 642), and 1171
18 (S.B. 652), Acts of the 83rd Legislature, Regular Session, 2013, is
19 reenacted and amended to read as follows:

20 (a) The holder of a distiller's and rectifier's permit may:

21 (1) manufacture distilled spirits;

22 (2) rectify, purify, and refine distilled spirits and
23 wines;

24 (3) mix wines, distilled spirits, or other liquors;

25 (4) bottle, label, and package the permit holder's
26 finished products;

27 (5) sell the finished products in this state to

1 holders of wholesaler's permits and to qualified persons outside
2 the state;

3 (6) purchase distilled spirits, to be used only for
4 manufacturing or rectification purposes, from holders of
5 nonresident seller's permits or distiller's and rectifier's
6 permits;

7 (7) dispense free distilled spirits for consumption on
8 the permitted premises under Section 14.04; ~~and~~

9 (8) sell bulk alcohol produced by the permit holder to
10 holders of industrial permits in this state; and

11 (9) ~~(8)~~ if located in a wet area, sell distilled
12 spirits to ultimate consumers under Section 14.04 or 14.05.

13 ARTICLE 3. CHANGES RELATING TO CIVIL PRACTICE AND REMEDIES CODE

14 SECTION 3.001. Section 51.014(a), Civil Practice and
15 Remedies Code, as amended by Chapters 44 (H.B. 200) and 1042 (H.B.
16 2935), Acts of the 83rd Legislature, Regular Session, 2013, is
17 reenacted and amended to read as follows:

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

21 (1) appoints a receiver or trustee;

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

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

26 (4) grants or refuses a temporary injunction or grants
27 or overrules a motion to dissolve a temporary injunction as

1 provided by Chapter 65;

2 (5) denies a motion for summary judgment that is based
3 on an assertion of immunity by an individual who is an officer or
4 employee of the state or a political subdivision of the state;

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

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

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

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

20 (10) grants relief sought by a motion under Section
21 74.351(1);

22 (11) denies a motion to dismiss filed under Section
23 90.007; ~~or~~

24 (12) denies a motion to dismiss filed under Section
25 27.003; or

26 (13) [~~(12)~~] denies a motion for summary judgment filed
27 by an electric utility regarding liability in a suit subject to

1 Section 75.0022.

2 SECTION 3.002. Section 51.014(b), Civil Practice and
3 Remedies Code, as amended by Chapters 916 (H.B. 1366) and 1042 (H.B.
4 2935), Acts of the 83rd Legislature, Regular Session, 2013, is
5 reenacted to read as follows:

6 (b) An interlocutory appeal under Subsection (a), other
7 than an appeal under Subsection (a)(4) or in a suit brought under
8 the Family Code, stays the commencement of a trial in the trial
9 court pending resolution of the appeal. An interlocutory appeal
10 under Subsection (a)(3), (5), (8), or (12) also stays all other
11 proceedings in the trial court pending resolution of that appeal.

12 ARTICLE 4. CHANGES RELATING TO CODE OF CRIMINAL PROCEDURE

13 SECTION 4.001. Articles 39.14(f) and (g), Code of Criminal
14 Procedure, are amended to correct references to read as follows:

15 (f) The attorney representing the defendant, or an
16 investigator, expert, consulting legal counsel, or agent for the
17 attorney representing the defendant, may allow a defendant,
18 witness, or prospective witness to view the information provided
19 under this article, but may not allow that person to have copies of
20 the information provided, other than a copy of the witness's own
21 statement. Before allowing that person to view a document or the
22 witness statement of another under this subsection, the person
23 possessing the information shall redact the address, telephone
24 number, driver's license number, social security number, date of
25 birth, and any bank account or other identifying numbers contained
26 in the document or witness statement. For purposes of this article
27 [~~section~~], the defendant may not be the agent for the attorney

1 representing the defendant.

2 (g) Nothing in this article [~~section~~] shall be interpreted
3 to limit an attorney's ability to communicate regarding his or her
4 case within the Texas Disciplinary Rules of Professional Conduct,
5 except for the communication of information identifying any victim
6 or witness, including name, except as provided in Subsections (e)
7 and (f), address, telephone number, driver's license number, social
8 security number, date of birth, and bank account information or any
9 information that by reference would make it possible to identify a
10 victim or a witness. Nothing in this subsection shall prohibit the
11 disclosure of identifying information to an administrative, law
12 enforcement, regulatory, or licensing agency for the purposes of
13 making a good faith complaint.

14 SECTION 4.002. Article 56.02(a), Code of Criminal
15 Procedure, as amended by Chapters 651 (H.B. 899) and 1345 (S.B.
16 1192), Acts of the 83rd Legislature, Regular Session, 2013, is
17 reenacted and amended to read as follows:

18 (a) A victim, guardian of a victim, or close relative of a
19 deceased victim is entitled to the following rights within the
20 criminal justice system:

21 (1) the right to receive from law enforcement agencies
22 adequate protection from harm and threats of harm arising from
23 cooperation with prosecution efforts;

24 (2) the right to have the magistrate take the safety of
25 the victim or his family into consideration as an element in fixing
26 the amount of bail for the accused;

27 (3) the right, if requested, to be informed:

1 (A) by the attorney representing the state of
2 relevant court proceedings, including appellate proceedings, and
3 to be informed if those proceedings have been canceled or
4 rescheduled prior to the event; and

5 (B) by an appellate court of decisions of the
6 court, after the decisions are entered but before the decisions are
7 made public;

8 (4) the right to be informed, when requested, by a
9 peace officer concerning the defendant's right to bail and the
10 procedures in criminal investigations and by the district
11 attorney's office concerning the general procedures in the criminal
12 justice system, including general procedures in guilty plea
13 negotiations and arrangements, restitution, and the appeals and
14 parole process;

15 (5) the right to provide pertinent information to a
16 probation department conducting a presentencing investigation
17 concerning the impact of the offense on the victim and his family by
18 testimony, written statement, or any other manner prior to any
19 sentencing of the offender;

20 (6) the right to receive information regarding
21 compensation to victims of crime as provided by Subchapter B,
22 including information related to the costs that may be compensated
23 under that subchapter and the amount of compensation, eligibility
24 for compensation, and procedures for application for compensation
25 under that subchapter, the payment for a medical examination under
26 Article 56.06 for a victim of a sexual assault, and when requested,
27 to referral to available social service agencies that may offer

1 additional assistance;

2 (7) the right to be informed, upon request, of parole
3 procedures, to participate in the parole process, to be notified,
4 if requested, of parole proceedings concerning a defendant in the
5 victim's case, to provide to the Board of Pardons and Paroles for
6 inclusion in the defendant's file information to be considered by
7 the board prior to the parole of any defendant convicted of any
8 crime subject to this subchapter, and to be notified, if requested,
9 of the defendant's release;

10 (8) the right to be provided with a waiting area,
11 separate or secure from other witnesses, including the offender and
12 relatives of the offender, before testifying in any proceeding
13 concerning the offender; if a separate waiting area is not
14 available, other safeguards should be taken to minimize the
15 victim's contact with the offender and the offender's relatives and
16 witnesses, before and during court proceedings;

17 (9) the right to prompt return of any property of the
18 victim that is held by a law enforcement agency or the attorney for
19 the state as evidence when the property is no longer required for
20 that purpose;

21 (10) the right to have the attorney for the state
22 notify the employer of the victim, if requested, of the necessity of
23 the victim's cooperation and testimony in a proceeding that may
24 necessitate the absence of the victim from work for good cause;

25 (11) the right to request victim-offender mediation
26 coordinated by the victim services division of the Texas Department
27 of Criminal Justice;

1 (12) the right to be informed of the uses of a victim
2 impact statement and the statement's purpose in the criminal
3 justice system, to complete the victim impact statement, and to
4 have the victim impact statement considered:

5 (A) by the attorney representing the state and
6 the judge before sentencing or before a plea bargain agreement is
7 accepted; and

8 (B) by the Board of Pardons and Paroles before an
9 inmate is released on parole;

10 (13) for a victim of an assault or sexual assault who
11 is younger than 17 years of age or whose case involves family
12 violence, as defined by Section 71.004, Family Code, the right to
13 have the court consider the impact on the victim of a continuance
14 requested by the defendant; if requested by the attorney
15 representing the state or by counsel for the defendant, the court
16 shall state on the record the reason for granting or denying the
17 continuance; and

18 (14) [~~(16)~~] if the offense is a capital felony, the
19 right to:

20 (A) receive by mail from the court a written
21 explanation of defense-initiated victim outreach if the court has
22 authorized expenditures for a defense-initiated victim outreach
23 specialist;

24 (B) not be contacted by the victim outreach
25 specialist unless the victim, guardian, or relative has consented
26 to the contact by providing a written notice to the court; and

27 (C) designate a victim service provider to

1 receive all communications from a victim outreach specialist acting
2 on behalf of any person.

3 SECTION 4.003. Article 56.02(c), Code of Criminal
4 Procedure, as amended by Chapters 651 (H.B. 899) and 1345 (S.B.
5 1192), Acts of the 83rd Legislature, Regular Session, 2013, is
6 reenacted to read as follows:

7 (c) The office of the attorney representing the state, and
8 the sheriff, police, and other law enforcement agencies shall
9 ensure to the extent practicable that a victim, guardian of a
10 victim, or close relative of a deceased victim is afforded the
11 rights granted by this article and Article 56.021 and, on request,
12 an explanation of those rights.

13 SECTION 4.004. Article 59.01(2), Code of Criminal
14 Procedure, as amended by Chapters 427 (S.B. 529) and 1357 (S.B.
15 1451), Acts of the 83rd Legislature, Regular Session, 2013, is
16 reenacted and amended to read as follows:

17 (2) "Contraband" means property of any nature,
18 including real, personal, tangible, or intangible, that is:

19 (A) used in the commission of:

20 (i) any first or second degree felony under
21 the Penal Code;

22 (ii) any felony under Section 15.031(b),
23 20.05, 21.11, 38.04, or Chapter 43, 20A, 29, 30, 31, 32, 33, 33A, or
24 35, Penal Code;

25 (iii) any felony under The Securities Act
26 (Article 581-1 et seq., Vernon's Texas Civil Statutes); or

27 (iv) any offense under Chapter 49, Penal

1 Code, that is punishable as a felony of the third degree or state
2 jail felony, if the defendant has been previously convicted three
3 times of an offense under that chapter;

4 (B) used or intended to be used in the commission
5 of:

6 (i) any felony under Chapter 481, Health
7 and Safety Code (Texas Controlled Substances Act);

8 (ii) any felony under Chapter 483, Health
9 and Safety Code;

10 (iii) a felony under Chapter 151, Finance
11 Code;

12 (iv) any felony under Chapter 34, Penal
13 Code;

14 (v) a Class A misdemeanor under Subchapter
15 B, Chapter 365, Health and Safety Code, if the defendant has been
16 previously convicted twice of an offense under that subchapter;

17 (vi) any felony under Chapter 32, Human
18 Resources Code, or Chapter 31, 32, 35A, or 37, Penal Code, that
19 involves the state Medicaid program;

20 (vii) a Class B misdemeanor under Chapter
21 522, Business & Commerce Code;

22 (viii) a Class A misdemeanor under Section
23 [306.051](#), Business & Commerce Code;

24 (ix) any offense under Section [42.10](#), Penal
25 Code;

26 (x) any offense under Section [46.06\(a\)\(1\)](#)
27 or [46.14](#), Penal Code;

1 (xi) any offense under Chapter 71, Penal
2 Code;

3 (xii) any offense under Section 20.05,
4 Penal Code; or

5 (xiii) [~~(xiv)~~] an offense under Section
6 326.002, Business & Commerce Code;

7 (C) the proceeds gained from the commission of a
8 felony listed in Paragraph (A) or (B) of this subdivision, a
9 misdemeanor listed in Paragraph (B)(vii), (ix), (x), or (xi) of
10 this subdivision, or a crime of violence;

11 (D) acquired with proceeds gained from the
12 commission of a felony listed in Paragraph (A) or (B) of this
13 subdivision, a misdemeanor listed in Paragraph (B)(vii), (ix), (x),
14 or (xi) of this subdivision, or a crime of violence;

15 (E) used to facilitate or intended to be used to
16 facilitate the commission of a felony under Section 15.031 or
17 43.25, Penal Code; or

18 (F) used to facilitate or intended to be used to
19 facilitate the commission of a felony under Section 20A.02 or
20 Chapter 43, Penal Code.

21 ARTICLE 5. CHANGES RELATING TO EDUCATION CODE

22 SECTION 5.001. (a) Section 7.111(a), Education Code, as
23 amended by Chapters 339 (H.B. 2058) and 1217 (S.B. 1536), Acts of
24 the 83rd Legislature, Regular Session, 2013, is reenacted to read
25 as follows:

26 (a) The board shall provide for the administration of high
27 school equivalency examinations.

1 (b) Section 7.111(a-1), Education Code, is amended to
2 conform to the amendment of Section 7.111(a), Education Code, by
3 Chapter 1217 (S.B. 1536), Acts of the 83rd Legislature, Regular
4 Session, 2013, to read as follows:

5 (a-1) A person who does not have a high school diploma may
6 take the examination in accordance with rules adopted by the board
7 if the person is:

8 (1) over 17 years of age;

9 (2) 16 years of age or older and:

10 (A) is enrolled in a Job Corps training program
11 under the Workforce Investment Act of 1998 (29 U.S.C. Section 2801
12 et seq.), and its subsequent amendments;

13 (B) a public agency providing supervision of the
14 person or having custody of the person under a court order
15 recommends that the person take the examination; or

16 (C) is enrolled in the Texas Military
17 Department's [~~adjutant general's department's~~] Seaborne Challenge
18 Corps; or

19 (3) required to take the examination under a court
20 order.

21 SECTION 5.002. Section 25.007(b), Education Code, as
22 amended by Chapters 688 (H.B. 2619) and 1354 (S.B. 1404), Acts of
23 the 83rd Legislature, Regular Session, 2013, is reenacted and
24 amended to read as follows:

25 (b) In recognition of the challenges faced by students in
26 substitute care, the agency shall assist the transition of
27 substitute care students from one school to another by:

1 (1) ensuring that school records for a student in
2 substitute care are transferred to the student's new school not
3 later than the 10th working day after the date the student begins
4 enrollment at the school;

5 (2) developing systems to ease transition of a student
6 in substitute care during the first two weeks of enrollment at a new
7 school;

8 (3) developing procedures for awarding credit,
9 including partial credit if appropriate, for course work, including
10 electives, completed by a student in substitute care while enrolled
11 at another school;

12 (4) promoting practices that facilitate access by a
13 student in substitute care to extracurricular programs, summer
14 programs, credit transfer services, electronic courses provided
15 under Chapter 30A, and after-school tutoring programs at nominal or
16 no cost;

17 (5) establishing procedures to lessen the adverse
18 impact of the movement of a student in substitute care to a new
19 school;

20 (6) entering into a memorandum of understanding with
21 the Department of Family and Protective Services regarding the
22 exchange of information as appropriate to facilitate the transition
23 of students in substitute care from one school to another;

24 (7) encouraging school districts and open-enrollment
25 charter schools to provide services for a student in substitute
26 care in transition when applying for admission to postsecondary
27 study and when seeking sources of funding for postsecondary study;

1 (8) requiring school districts, campuses, and
2 open-enrollment charter schools to accept a referral for special
3 education services made for a student in substitute care by a school
4 previously attended by the student;

5 (9) requiring school districts to provide notice to
6 the child's educational decision-maker and caseworker regarding
7 events that may significantly impact the education of a child,
8 including:

9 (A) requests or referrals for an evaluation under
10 Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), or
11 special education under Section 29.003;

12 (B) admission, review, and dismissal committee
13 meetings;

14 (C) manifestation determination reviews required
15 by Section 37.004(b);

16 (D) any disciplinary actions under Chapter 37 for
17 which parental notice is required;

18 (E) citations issued for Class C misdemeanor
19 offenses on school property or at school-sponsored activities;

20 (F) reports of restraint and seclusion required
21 by Section 37.0021; and

22 (G) use of corporal punishment as provided by
23 Section 37.0011; ~~and~~

24 (10) developing procedures for allowing a student in
25 substitute care who was previously enrolled in a course required
26 for graduation the opportunity, to the extent practicable, to
27 complete the course, at no cost to the student, before the beginning

1 of the next school year;

2 (11) ensuring that a student in substitute care who is
3 not likely to receive a high school diploma before the fifth school
4 year following the student's enrollment in grade nine, as
5 determined by the district, has the student's course credit accrual
6 and personal graduation plan reviewed; ~~and~~

7 (12) ensuring that a student in substitute care who is
8 in grade 11 or 12 be provided information regarding tuition and fee
9 exemptions under Section 54.366 for dual-credit or other courses
10 provided by a public institution of higher education for which a
11 high school student may earn joint high school and college credit;
12 and

13 (13) ~~(10)~~ providing other assistance as identified
14 by the agency.

15 SECTION 5.003. Section 39.0302(a), Education Code, is
16 amended to correct a reference to read as follows:

17 (a) During an agency investigation or audit of a school
18 district under Section 39.0301(e) or (f), an accreditation
19 investigation under Section 39.057(a)(8) or (14) ~~(13)~~, or an
20 investigation by the State Board for Educator Certification of an
21 educator for an alleged violation of an assessment instrument
22 security procedure established under Section 39.0301(a), the
23 commissioner may issue a subpoena to compel the attendance of a
24 relevant witness or the production, for inspection or copying, of
25 relevant evidence that is located in this state.

26 SECTION 5.004. Section 39.057(a), Education Code, as
27 amended by Chapters 211 (H.B. 5) and 509 (S.B. 123), Acts of the

1 83rd Legislature, Regular Session, 2013, is reenacted and amended
2 to read as follows:

3 (a) The commissioner may authorize special accreditation
4 investigations to be conducted:

5 (1) when excessive numbers of absences of students
6 eligible to be tested on state assessment instruments are
7 determined;

8 (2) when excessive numbers of allowable exemptions
9 from the required state assessment instruments are determined;

10 (3) in response to complaints submitted to the agency
11 with respect to alleged violations of civil rights or other
12 requirements imposed on the state by federal law or court order;

13 (4) in response to established compliance reviews of
14 the district's financial accounting practices and state and federal
15 program requirements;

16 (5) when extraordinary numbers of student placements
17 in disciplinary alternative education programs, other than
18 placements under Sections 37.006 and 37.007, are determined;

19 (6) in response to an allegation involving a conflict
20 between members of the board of trustees or between the board and
21 the district administration if it appears that the conflict
22 involves a violation of a role or duty of the board members or the
23 administration clearly defined by this code;

24 (7) when excessive numbers of students in special
25 education programs under Subchapter A, Chapter 29, are assessed
26 through assessment instruments developed or adopted under Section
27 39.023(b);

1 (8) in response to an allegation regarding or an
2 analysis using a statistical method result indicating a possible
3 violation of an assessment instrument security procedure
4 established under Section 39.0301, including for the purpose of
5 investigating or auditing a school district under that section;

6 (9) when a significant pattern of decreased academic
7 performance has developed as a result of the promotion in the
8 preceding two school years of students who did not perform
9 satisfactorily as determined by the commissioner under Section
10 39.0241(a) on assessment instruments administered under Section
11 39.023(a), (c), or (l);

12 (10) when excessive numbers of students eligible to
13 enroll fail to complete an Algebra II course or any other advanced
14 course as determined by the commissioner;

15 (11) when resource allocation practices as evaluated
16 under Section 39.0821 indicate a potential for significant
17 improvement in resource allocation;

18 (12) when a disproportionate number of students of a
19 particular demographic group is graduating with a particular
20 endorsement under Section 28.025(c-1);

21 (13) when an excessive number of students is
22 graduating with a particular endorsement under Section
23 28.025(c-1);

24 (14) [~~(13)~~] in response to a complaint submitted to
25 the agency with respect to alleged inaccurate data that is reported
26 through the Public Education Information Management System (PEIMS)
27 or through other reports required by state or federal law or rule or

1 court order and that is used by the agency to make a determination
2 relating to public school accountability, including accreditation,
3 under this chapter; or

4 (15) [~~(14)~~] as the commissioner otherwise determines
5 necessary.

6 SECTION 5.005. Section 58.001(a), Education Code, as
7 amended by Chapter 65 (S.B. 120), Acts of the 83rd Legislature,
8 Regular Session, 2013, is repealed to conform to the repeal of
9 Section 58.001, Education Code, by Chapter 1155 (S.B. 215), Acts of
10 the 83rd Legislature, Regular Session, 2013.

11 SECTION 5.006. (a) Section 61.0662, Education Code, as
12 redesignated from Section 61.051(h), Education Code, and
13 transferred and amended by Chapter 1155 (S.B. 215), Acts of the 83rd
14 Legislature, Regular Session, 2013, is reenacted to incorporate
15 amendments to Section 61.051(h), Education Code, made by Chapter
16 507 (S.B. 67), Acts of the 83rd Legislature, Regular Session, 2013,
17 and amended to read as follows:

18 Sec. 61.0662. INFORMATION ON RESEARCH CONDUCTED BY
19 INSTITUTIONS. (a) The board shall maintain an inventory of all
20 institutional and programmatic research activities being conducted
21 by the various institutions of higher education, whether
22 state-financed or not.

23 (b) Once a year, on dates prescribed by the board, each
24 institution of higher education shall report to the board all
25 research conducted at that institution during the preceding year.
26 Each institution's report must include the amounts spent by the
27 institution on human embryonic stem cell research and adult stem

1 cell research during the year covered by the report and the source
2 of the funding for that research.

3 (c) All reports required by this section shall be made
4 subject to the limitations imposed by security regulations
5 governing defense contracts for research.

6 (d) Not later than January 1 of each year, the board shall
7 submit to the legislature information regarding human stem cell
8 research obtained by the board from reports required by this
9 section [~~subsection~~].

10 (b) Section 61.051(h), Education Code, as amended by
11 Chapter 507 (S.B. 67), Acts of the 83rd Legislature, Regular
12 Session, 2013, is repealed.

13 SECTION 5.007. Section 61.051(i), Education Code, as
14 amended by Chapter 1312 (S.B. 59), Acts of the 83rd Legislature,
15 Regular Session, 2013, is repealed to conform to the repeal of that
16 subsection by Chapter 1155 (S.B. 215), Acts of the 83rd
17 Legislature, Regular Session, 2013.

18 SECTION 5.008. Section 73.115(g), Education Code, as added
19 by Chapter 1366 (S.B. 1604), Acts of the 83rd Legislature, Regular
20 Session, 2013, is repealed as duplicative of Section 73.115(g),
21 Education Code, as added by Chapter 1346 (S.B. 1195), Acts of the
22 83rd Legislature, Regular Session, 2013.

23 ARTICLE 6. CHANGES RELATING TO ELECTION CODE

24 SECTION 6.001. Section 143.003(b), Election Code, is
25 repealed as executed.

26 SECTION 6.002. Section 171.024(b), Election Code, as
27 amended by Chapters 1054 (H.B. 3102) and 1262 (H.B. 630), Acts of

1 the 83rd Legislature, Regular Session, 2013, is reenacted and
2 amended to read as follows:

3 (b) [~~The state executive committee shall adopt rules~~
4 ~~regarding how many members of the county executive committee~~
5 ~~constitute a quorum for the purpose of filling a vacancy.~~] A
6 majority of the committee's membership must participate in filling
7 a vacancy in the office of county chair. To be elected, a person
8 must receive a favorable vote of a majority of the members voting.

9 ARTICLE 7. CHANGES RELATING TO FAMILY CODE

10 SECTION 7.001. Section 31.006, Family Code, is amended to
11 correct a reference to read as follows:

12 Sec. 31.006. EFFECT OF GENERAL REMOVAL. Except for
13 specific constitutional and statutory age requirements, a minor
14 whose disabilities are removed for general purposes has the
15 capacity of an adult, including the capacity to contract. Except as
16 provided by federal law, all educational rights accorded to the
17 parent of a student, including the right to make education
18 decisions under Section 151.001(a)(10) [~~151.003(a)(10)~~], transfer
19 to the minor whose disabilities are removed for general purposes.

20 SECTION 7.002. Section 58.00711, Family Code, as amended by
21 Chapters 1257 (H.B. 528) and 1319 (S.B. 394), Acts of the 83rd
22 Legislature, Regular Session, 2013, is reenacted and amended to
23 read as follows:

24 Sec. 58.00711. RECORDS RELATING TO CHILDREN CHARGED WITH,
25 [~~OR~~] CONVICTED OF, OR RECEIVING DEFERRED DISPOSITION FOR FINE-ONLY
26 MISDEMEANORS. (a) This section applies only to a misdemeanor
27 offense punishable by fine only, other than a traffic offense.

1 (b) Except as provided by Article 45.0217(b), Code of
2 Criminal Procedure, all records and files and information stored by
3 electronic means or otherwise, from which a record or file could be
4 generated, relating to a child who is charged with, is convicted of,
5 is found not guilty of, had a charge dismissed for, [~~or who has~~
6 ~~received a dismissal after deferral of disposition for~~] or is
7 granted deferred disposition for an offense described by Subsection
8 (a) are confidential and may not be disclosed to the public.

9 SECTION 7.003. Section 58.204(b), Family Code, as amended
10 by Chapters 871 (H.B. 694) and 1299 (H.B. 2862), Acts of the 83rd
11 Legislature, Regular Session, 2013, is reenacted and amended to
12 read as follows:

13 (b) On certification of records in a case under Section
14 58.203, the department may permit access to the information in the
15 juvenile justice information system relating to the case of an
16 individual only:

17 (1) by a criminal justice agency for a criminal
18 justice purpose, as those terms are defined by Section 411.082,
19 Government Code;

20 (2) for research purposes, by the Texas Juvenile
21 Justice Department;

22 (3) by the person who is the subject of the records on
23 an order from the juvenile court granting the petition filed by or
24 on behalf of the person who is the subject of the records;

25 (4) with the permission of the juvenile court at the
26 request of the person who is the subject of the records; [~~or~~]

27 (5) with the permission of the juvenile court, by a

1 party to a civil suit if the person who is the subject of the records
2 has put facts relating to the person's records at issue in the suit;
3 or

4 (6) [~~(3)~~] with the written permission of the
5 individual, by military personnel, including a recruiter, of this
6 state or the United States if the individual is an applicant for
7 enlistment in the armed forces.

8 SECTION 7.004. Section 263.306(a), Family Code, as amended
9 by Chapters 191 (S.B. 352), 204 (H.B. 915), and 688 (H.B. 2619),
10 Acts of the 83rd Legislature, Regular Session, 2013, is reenacted
11 and amended to read as follows:

12 (a) At each permanency hearing the court shall:

13 (1) identify all persons or parties present at the
14 hearing or those given notice but failing to appear;

15 (2) review the efforts of the department or another
16 agency in:

17 (A) attempting to locate all necessary persons;

18 (B) requesting service of citation; and

19 (C) obtaining the assistance of a parent in
20 providing information necessary to locate an absent parent, alleged
21 father, or relative of the child;

22 (3) review the efforts of each custodial parent,
23 alleged father, or relative of the child before the court in
24 providing information necessary to locate another absent parent,
25 alleged father, or relative of the child;

26 (4) review any visitation plan or amended plan
27 required under Section 263.107 and render any orders for visitation

1 the court determines necessary;

2 (5) return the child to the parent or parents if the
3 child's parent or parents are willing and able to provide the child
4 with a safe environment and the return of the child is in the
5 child's best interest;

6 (6) place the child with a person or entity, other than
7 a parent, entitled to service under Chapter 102 if the person or
8 entity is willing and able to provide the child with a safe
9 environment and the placement of the child is in the child's best
10 interest;

11 (7) evaluate the department's efforts to identify
12 relatives who could provide the child with a safe environment, if
13 the child is not returned to a parent or another person or entity
14 entitled to service under Chapter 102;

15 (8) evaluate the parties' compliance with temporary
16 orders and the service plan;

17 (9) identify an education decision-maker for the child
18 if one has not previously been identified;

19 (10) review the medical care provided to the child as
20 required by Section 266.007;

21 (11) [~~(9)~~] ensure the child has been provided the
22 opportunity, in a developmentally appropriate manner, to express
23 the child's opinion on the medical care provided;

24 (12) [~~(10)~~] for a child receiving psychotropic
25 medication, determine whether the child:

26 (A) has been provided appropriate psychosocial
27 therapies, behavior strategies, and other non-pharmacological

1 interventions; and

2 (B) has been seen by the prescribing physician,
3 physician assistant, or advanced practice nurse at least once every
4 90 days for purposes of the review required by Section 266.011;

5 (13) [~~(11)~~] determine whether:

6 (A) the child continues to need substitute care;

7 (B) the child's current placement is appropriate
8 for meeting the child's needs, including with respect to a child who
9 has been placed outside of the state, whether that placement
10 continues to be in the best interest of the child; and

11 (C) other plans or services are needed to meet
12 the child's special needs or circumstances;

13 (14) [~~(12)~~] if the child is placed in institutional
14 care, determine whether efforts have been made to ensure placement
15 of the child in the least restrictive environment consistent with
16 the best interest and special needs of the child;

17 (15) [~~(13)~~] if the child is 16 years of age or older,
18 order services that are needed to assist the child in making the
19 transition from substitute care to independent living if the
20 services are available in the community;

21 (16) [~~(14)~~] determine plans, services, and further
22 temporary orders necessary to ensure that a final order is rendered
23 before the date for dismissal of the suit under this chapter;

24 (17) [~~(15)~~] if the child is committed to the Texas
25 Juvenile Justice Department or released under supervision by the
26 Texas Juvenile Justice Department, determine whether the child's
27 needs for treatment, rehabilitation, and education are being met;

1 and

2 (18) [~~(16)~~] determine the date for dismissal of the
3 suit under this chapter and give notice in open court to all parties
4 of:

5 (A) the dismissal date;

6 (B) the date of the next permanency hearing; and

7 (C) the date the suit is set for trial.

8 SECTION 7.005. Section 263.503(a), Family Code, as amended
9 by Chapters 204 (H.B. 915) and 688 (H.B. 2619), Acts of the 83rd
10 Legislature, Regular Session, 2013, is reenacted and amended to
11 read as follows:

12 (a) At each placement review hearing, the court shall
13 determine whether:

14 (1) the child's current placement is necessary, safe,
15 and appropriate for meeting the child's needs, including with
16 respect to a child placed outside of the state, whether the
17 placement continues to be appropriate and in the best interest of
18 the child;

19 (2) efforts have been made to ensure placement of the
20 child in the least restrictive environment consistent with the best
21 interest and special needs of the child if the child is placed in
22 institutional care;

23 (3) the services that are needed to assist a child who
24 is at least 16 years of age in making the transition from substitute
25 care to independent living are available in the community;

26 (4) the child is receiving appropriate medical care;

27 (5) the child has been provided the opportunity, in a

1 developmentally appropriate manner, to express the child's opinion
2 on the medical care provided;

3 (6) a child who is receiving psychotropic medication:

4 (A) has been provided appropriate psychosocial
5 therapies, behavior strategies, and other non-pharmacological
6 interventions; and

7 (B) has been seen by the prescribing physician,
8 physician assistant, or advanced practice nurse at least once every
9 90 days for purposes of the review required by Section [266.011](#);

10 (7) other plans or services are needed to meet the
11 child's special needs or circumstances;

12 (8) the department or authorized agency has exercised
13 due diligence in attempting to place the child for adoption if
14 parental rights to the child have been terminated and the child is
15 eligible for adoption;

16 (9) for a child for whom the department has been named
17 managing conservator in a final order that does not include
18 termination of parental rights, a permanent placement, including
19 appointing a relative as permanent managing conservator or
20 returning the child to a parent, is appropriate for the child;

21 (10) for a child whose permanency goal is another
22 planned, permanent living arrangement, the department has:

23 (A) documented a compelling reason why adoption,
24 permanent managing conservatorship with a relative or other
25 suitable individual, or returning the child to a parent is not in
26 the child's best interest; and

27 (B) identified a family or other caring adult who

1 has made a permanent commitment to the child;

2 (11) the department or authorized agency has made
3 reasonable efforts to finalize the permanency plan that is in
4 effect for the child; ~~and~~

5 (12) if the child is committed to the Texas Juvenile
6 Justice Department or released under supervision by the Texas
7 Juvenile Justice Department, the child's needs for treatment,
8 rehabilitation, and education are being met;

9 (13) ~~(10)~~ an education decision-maker for the child
10 has been identified; and

11 (14) ~~(11)~~ the child's education needs and goals have
12 been identified and addressed.

13 SECTION 7.006. Section 264.121(a-1), Family Code, as
14 amended by Chapters 168 (S.B. 1589) and 342 (H.B. 2111), Acts of the
15 83rd Legislature, Regular Session, 2013, is reenacted and amended
16 to read as follows:

17 (a-1) The department shall require a foster care provider to
18 provide or assist youth who are age 14 or older in obtaining
19 experiential life-skills training to improve their transition to
20 independent living. Experiential life-skills training must be
21 tailored to a youth's skills and abilities and must include
22 training in practical activities that include grocery shopping,
23 meal preparation and cooking, ~~and~~ performing basic household
24 tasks, and, when appropriate, using public transportation.

25 SECTION 7.007. Section 264.121(f), Family Code, as amended
26 by Chapters 168 (S.B. 1589) and 342 (H.B. 2111), Acts of the 83rd
27 Legislature, Regular Session, 2013, is reenacted and amended to

1 read as follows:

2 (f) The department shall require a person with whom the
3 department contracts for transitional living services for foster
4 youth to provide or assist youth in obtaining:

5 (1) housing services;

6 (2) job training and employment services;

7 (3) college preparation services;

8 (4) services that will assist youth in obtaining a
9 general education development certificate;

10 (5) services that will assist youth in developing
11 skills in food preparation;

12 (6) nutrition education that promotes healthy food
13 choices; ~~and~~

14 (7) ~~(5)~~ a savings or checking account if the youth
15 is at least 18 years of age and has a source of income; and

16 (8) ~~(7)~~ any other appropriate transitional living
17 service identified by the department.

18 ARTICLE 8. CHANGES RELATING TO FINANCE CODE

19 SECTION 8.001. Section 348.005, Finance Code, as amended by
20 Chapters 355 (H.B. 2462), 1135 (H.B. 2741), and 1287 (H.B. 2202),
21 Acts of the 83rd Legislature, Regular Session, 2013, is reenacted
22 and amended to read as follows:

23 Sec. 348.005. ITEMIZED CHARGE. An amount in a retail
24 installment contract is an itemized charge if the amount is not
25 included in the cash price and is the amount of:

26 (1) fees for registration, certificate of title, and
27 license and any additional registration fees charged by a deputy as

1 authorized by rules adopted under Section 520.0071 [~~520.008~~],
2 Transportation Code;

3 (2) any taxes;

4 (3) fees or charges prescribed by law and connected
5 with the sale or inspection of the motor vehicle; and

6 (4) charges authorized for insurance, service
7 contracts, warranties, automobile club memberships, or a debt
8 cancellation agreement by Subchapter C.

9 ARTICLE 9. CHANGES RELATING TO GOVERNMENT CODE

10 PART A. GENERAL CHANGES

11 SECTION 9.001. Section 411.081(d), Government Code, is
12 amended to correct an error in punctuation to read as follows:

13 (d) Notwithstanding any other provision of this subchapter,
14 if a person is placed on deferred adjudication community
15 supervision under Section 5, Article 42.12, Code of Criminal
16 Procedure, subsequently receives a discharge and dismissal under
17 Section 5(c), Article 42.12, and satisfies the requirements of
18 Subsection (e), the person may petition the court that placed the
19 defendant on deferred adjudication for an order of nondisclosure
20 under this subsection. Except as provided by Subsection (e), a
21 person may petition the court for an order of nondisclosure
22 regardless of whether the person has been previously placed on
23 deferred adjudication community supervision for another offense.
24 After notice to the state, an opportunity for a hearing, and a
25 determination that the person is entitled to file the petition and
26 issuance of the order is in the best interest of justice, the court
27 shall issue an order prohibiting criminal justice agencies from

1 disclosing to the public criminal history record information
2 related to the offense giving rise to the deferred adjudication. A
3 criminal justice agency may disclose criminal history record
4 information that is the subject of the order only to other criminal
5 justice agencies[7] for criminal justice or regulatory licensing
6 purposes, an agency or entity listed in Subsection (i), or the
7 person who is the subject of the order. A person may petition the
8 court that placed the person on deferred adjudication for an order
9 of nondisclosure only on or after:

10 (1) the discharge and dismissal, if the offense for
11 which the person was placed on deferred adjudication was a
12 misdemeanor other than a misdemeanor described by Subdivision (2);

13 (2) the second anniversary of the discharge and
14 dismissal, if the offense for which the person was placed on
15 deferred adjudication was a misdemeanor under Chapter 20, 21, 22,
16 25, 42, or 46, Penal Code; or

17 (3) the fifth anniversary of the discharge and
18 dismissal, if the offense for which the person was placed on
19 deferred adjudication was a felony.

20 SECTION 9.002. Section [411.081\(i\)](#), Government Code, as
21 amended by Chapters 42 (S.B. 966), 266 (H.B. 729), and 583 (S.B.
22 869), Acts of the 83rd Legislature, Regular Session, 2013, is
23 reenacted and amended to read as follows:

24 (i) A criminal justice agency may disclose criminal history
25 record information that is the subject of an order of nondisclosure
26 under Subsection (d) to the following noncriminal justice agencies
27 or entities only:

- 1 (1) the State Board for Educator Certification;
- 2 (2) a school district, charter school, private school,
3 regional education service center, commercial transportation
4 company, or education shared service arrangement;
- 5 (3) the Texas Medical Board;
- 6 (4) the Texas School for the Blind and Visually
7 Impaired;
- 8 (5) the Board of Law Examiners;
- 9 (6) the State Bar of Texas;
- 10 (7) a district court regarding a petition for name
11 change under Subchapter B, Chapter 45, Family Code;
- 12 (8) the Texas School for the Deaf;
- 13 (9) the Department of Family and Protective Services;
- 14 (10) the Texas Juvenile Justice Department;
- 15 (11) the Department of Assistive and Rehabilitative
16 Services;
- 17 (12) the Department of State Health Services, a local
18 mental health service, a local mental retardation authority, or a
19 community center providing services to persons with mental illness
20 or retardation;
- 21 (13) the Texas Private Security Board;
- 22 (14) a municipal or volunteer fire department;
- 23 (15) the Texas Board of Nursing;
- 24 (16) a safe house providing shelter to children in
25 harmful situations;
- 26 (17) a public or nonprofit hospital or hospital
27 district, or a facility as defined by Section [250.001](#), Health and

1 Safety Code;

2 (18) the securities commissioner, the banking
3 commissioner, the savings and mortgage lending commissioner, the
4 consumer credit commissioner, or the credit union commissioner;

5 (19) the Texas State Board of Public Accountancy;

6 (20) the Texas Department of Licensing and Regulation;

7 (21) the Health and Human Services Commission;

8 (22) the Department of Aging and Disability Services;

9 (23) the Texas Education Agency;

10 (24) the Judicial Branch Certification Commission;

11 (25) a county clerk's office in relation to a
12 proceeding for the appointment of a guardian under Title 3, Estates
13 [~~Chapter XIII, Texas Probate~~] Code;

14 (26) the Department of Information Resources but only
15 regarding an employee, applicant for employment, contractor,
16 subcontractor, intern, or volunteer who provides network security
17 services under Chapter 2059 to:

18 (A) the Department of Information Resources; or

19 (B) a contractor or subcontractor of the
20 Department of Information Resources;

21 (27) the Texas Department of Insurance;

22 (28) the Teacher Retirement System of Texas; and

23 (29) [~~(30)~~] the Texas State Board of Pharmacy.

24 SECTION 9.003. Section [411.179\(a\)](#), Government Code, as
25 amended by Chapters 396 (S.B. 164) and 1302 (H.B. 3142), Acts of the
26 83rd Legislature, Regular Session, 2013, is reenacted and amended
27 to read as follows:

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

3 (1) a number assigned to the license holder by the
4 department;

5 (2) a statement of the period for which the license is
6 effective;

7 (3) a color photograph of the license holder;

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

10 (5) the license holder's residence address or, as
11 provided by Subsection (d), the street address of the courthouse in
12 which the license holder or license holder's spouse serves as a
13 federal judge or the license holder serves as a state judge;

14 (6) the number of a driver's license or an
15 identification certificate issued to the license holder by the
16 department; and

17 (7) (8) ~~(8)~~ the designation "VETERAN" if required under
18 Subsection (e).

19 SECTION 9.004. Section [411.185](#)(a), Government Code, as
20 amended by Chapters 156 (S.B. 864) and 1387 (H.B. 48), Acts of the
21 83rd Legislature, Regular Session, 2013, is reenacted to read as
22 follows:

23 (a) To renew a license, a license holder must, on or before
24 the date the license expires, submit to the department by mail or,
25 in accordance with the procedure adopted under Subsection (f), on
26 the Internet:

27 (1) a renewal application on a form provided by the

1 department;

2 (2) payment of a nonrefundable renewal fee as set by
3 the department; and

4 (3) the informational form described by Subsection (c)
5 signed or electronically acknowledged by the applicant.

6 SECTION 9.005. Section 411.188(a), Government Code, as
7 amended by Chapters 156 (S.B. 864) and 1302 (H.B. 3142), Acts of the
8 83rd Legislature, Regular Session, 2013, is amended to conform to
9 Chapter 1387 (H.B. 48), Acts of the 83rd Legislature, Regular
10 Session, 2013, to read as follows:

11 (a) The director by rule shall establish minimum standards
12 for handgun proficiency and shall develop a course to teach handgun
13 proficiency and examinations to measure handgun proficiency. The
14 course to teach handgun proficiency is required for each person who
15 seeks to obtain [~~or renew~~] a license and must contain training
16 sessions divided into two parts. One part of the course must be
17 classroom instruction and the other part must be range instruction
18 and an actual demonstration by the applicant of the applicant's
19 ability to safely and proficiently use a handgun. An applicant must
20 be able to demonstrate, at a minimum, the degree of proficiency that
21 is required to effectively operate a handgun of .32 caliber or
22 above. The department shall distribute the standards, course
23 requirements, and examinations on request to any qualified handgun
24 instructor.

25 SECTION 9.006. Section 411.188(j), Government Code, as
26 amended by Chapter 156 (S.B. 864), Acts of the 83rd Legislature,
27 Regular Session, 2013, is repealed to conform to the repeal of

1 Section 411.188(j), Government Code, by Chapter 1387 (H.B. 48),
2 Acts of the 83rd Legislature, Regular Session, 2013.

3 SECTION 9.007. Section 411.199(e), Government Code, as
4 amended by Chapter 1302 (H.B. 3142), Acts of the 83rd Legislature,
5 Regular Session, 2013, is repealed to conform to the repeal of
6 Section 411.199(e), Government Code, by Chapter 1387 (H.B. 48),
7 Acts of the 83rd Legislature, Regular Session, 2013.

8 SECTION 9.008. Section 552.1175(a), Government Code, as
9 amended by Chapters 937 (H.B. 1632) and 1033 (H.B. 2733), Acts of
10 the 83rd Legislature, Regular Session, 2013, is reenacted and
11 amended to read as follows:

12 (a) This section applies only to:

13 (1) peace officers as defined by Article 2.12, Code of
14 Criminal Procedure;

15 (2) county jailers as defined by Section 1701.001,
16 Occupations Code;

17 (3) current or former employees of the Texas
18 Department of Criminal Justice or of the predecessor in function of
19 the department or any division of the department;

20 (4) commissioned security officers as defined by
21 Section 1702.002, Occupations Code;

22 (5) employees of a district attorney, criminal
23 district attorney, or county or municipal attorney whose
24 jurisdiction includes any criminal law or child protective services
25 matters;

26 (6) officers and employees of a community supervision
27 and corrections department established under Chapter 76 who perform

1 a duty described by Section 76.004(b);

2 (7) criminal investigators of the United States as
3 described by Article 2.122(a), Code of Criminal Procedure;

4 (8) police officers and inspectors of the United
5 States Federal Protective Service;

6 (9) current and former employees of the office of the
7 attorney general who are or were assigned to a division of that
8 office the duties of which involve law enforcement; ~~and~~

9 (10) juvenile probation and detention officers
10 certified by the Texas Juvenile Justice Department, or the
11 predecessors in function of the department, under Title 12, Human
12 Resources Code;

13 (11) employees of a juvenile justice program or
14 facility, as those terms are defined by Section 261.405, Family
15 Code; ~~and~~

16 (12) current or former employees of the Texas Juvenile
17 Justice Department or the predecessors in function of the
18 department; and

19 (13) ~~(10)~~ federal judges and state judges as defined
20 by Section 13.0021, Election Code.

21 SECTION 9.009. Section 772.0061(a)(2), Government Code, as
22 amended by Chapters 747 (S.B. 462) and 1167 (S.B. 484), Acts of the
23 83rd Legislature, Regular Session, 2013, is reenacted and amended
24 to conform to changes made by Chapter 747 (S.B. 462), Acts of the
25 83rd Legislature, Regular Session, 2013, and Section 21.001 of this
26 Act to read as follows:

27 (2) "Specialty court" means:

1 (A) a prostitution prevention program
2 established under Chapter 126 or former law [~~Chapter 169A, Health~~
3 ~~and Safety Code~~];

4 (B) a family drug court program established under
5 Chapter 122 or former law;

6 (C) [~~(B)~~] a drug court program established under
7 Chapter 123 or former law;

8 (D) [~~(C)~~] a veterans court program established
9 under Chapter 124 or former law; and

10 (E) [~~(D)~~] a mental health court program
11 established under Chapter 125 or former law.

12 SECTION 9.010. Section [2262.101](#), Government Code, as
13 amended by Chapters 676 (H.B. 1965) and 1227 (S.B. 1681), Acts of
14 the 83rd Legislature, Regular Session, 2013, is reenacted and
15 amended to read as follows:

16 Sec. 2262.101. CREATION; DUTIES. (a) The Contract
17 Advisory Team is created to assist state agencies in improving
18 contract management practices by:

19 (1) reviewing and making recommendations on the
20 solicitation documents and contract documents for contracts of
21 state agencies that have a value of at least \$10 million;

22 (2) reviewing any findings or recommendations made by
23 the state auditor, including those made under Section [2262.052\(b\)](#),
24 regarding a state agency's compliance with the contract management
25 guide;

26 (3) providing recommendations to the comptroller
27 regarding:

1 (A) the development of the contract management
2 guide; and

3 (B) the training under Section 2262.053;

4 (4) providing recommendations and assistance to state
5 agency personnel throughout the contract management process;

6 (5) coordinating and consulting with the quality
7 assurance team established under Section 2054.158 on all contracts
8 relating to a major information resources project; ~~and~~

9 (6) ~~[(4)]~~ developing and recommending policies and
10 procedures to improve state agency contract management practices;

11 (7) ~~[(5)]~~ developing and recommending procedures to
12 improve state agency contracting practices by including
13 consideration for best value; and

14 (8) ~~[(6)]~~ creating and periodically performing a risk
15 assessment to determine the appropriate level of management and
16 oversight of contracts by state agencies.

17 (b) The risk assessment created and performed ~~[reviewed]~~
18 under Subsection (a)(8) ~~[(a)(6)]~~ must include ~~[, but is not limited~~
19 ~~to]~~ the following criteria:

20 (1) the amount of appropriations to the agency;

21 (2) total contract value as a percentage of
22 appropriations to the agency; or

23 (3) the impact of the functions and duties of the state
24 agency on the health, safety, and well-being of residents
25 ~~[citizens]~~.

26 (c) The comptroller shall oversee the activities of the
27 team, including ensuring that the team carries out its duties under

1 Subsections [~~Subsection~~] (a)(5) and (a)(7).

2 (d) A state agency shall:

3 (1) comply with a recommendation made under Subsection
4 (a)(1); or

5 (2) submit a written explanation regarding why the
6 recommendation is not applicable to the contract under review.

7 (e) The team may review documents under Subsection (a)(1)
8 only for compliance with contract management and best practices
9 principles and may not make a recommendation regarding the purpose
10 or subject of the contract.

11 (f) The team may develop an expedited process for reviewing
12 solicitations under Subsection (a)(1) for contracts:

13 (1) that the team identifies as posing a low risk of
14 loss to the state; or

15 (2) for which templates will be used more than once by
16 a state agency.

17 SECTION 9.011. Sections [2306.5621](#)(a)(10), (11), (12),
18 (13), (14), and (15), Government Code, as added by Chapter 405 (S.B.
19 286), Acts of the 83rd Legislature, Regular Session, 2013, are
20 repealed as duplicative of Sections [2306.5621](#)(a)(11), (12), (13),
21 (14), (15), and (16), Government Code, as added by Chapter 1219
22 (S.B. 1553), Acts of the 83rd Legislature, Regular Session, 2013.

23 SECTION 9.012. Section [2306.6719](#)(e), Government Code, as
24 added by Chapter 556 (S.B. 659), Acts of the 83rd Legislature,
25 Regular Session, 2013, is repealed as duplicative of Section
26 [2306.6719](#)(e), Government Code, as added by Chapter 1079 (H.B.
27 3361), Acts of the 83rd Legislature, Regular Session, 2013.

1 PART B. UPDATE OF COURT FEES AND COSTS

2 SECTION 9.101. Section 51.709, Government Code, as added by
3 Chapter 1246 (S.B. 1891), Acts of the 83rd Legislature, Regular
4 Session, 2013, is redesignated as Section 51.710, Government Code.

5 SECTION 9.102. (a) Section 101.021, Government Code, is
6 amended to read as follows:

7 Sec. 101.021. SUPREME COURT FEES AND COSTS: GOVERNMENT
8 CODE. The clerk of the supreme court shall collect fees and costs
9 as follows:

10 (1) application for petition for review (Sec. 51.005,
11 Government Code) . . . \$50;

12 (2) additional fee if application for petition for
13 review is granted (Sec. 51.005, Government Code) . . . \$75;

14 (3) motion for leave to file petition for writ of
15 mandamus, prohibition, injunction, and other similar proceedings
16 originating in the supreme court (Sec. 51.005, Government Code)
17 . . . \$50;

18 (4) additional fee if a motion under Subdivision (3)
19 is granted (Sec. 51.005, Government Code) . . . \$75;

20 (5) certified question from a federal court of appeals
21 to the supreme court (Sec. 51.005, Government Code) . . . \$75;

22 (6) case appealed to the supreme court from the
23 district court by direct appeal (Sec. 51.005, Government Code)
24 . . . \$100;

25 (7) any other proceeding filed in the supreme court
26 (Sec. 51.005, Government Code) . . . \$75;

27 (8) administering an oath and giving a sealed

1 certificate of the oath (Sec. 51.005, Government Code) . . . \$5;

2 (9) making certain copies, including certificate and
3 seal (Sec. 51.005, Government Code) . . . \$5, or \$0.50 per page if
4 more than 10 pages;

5 (10) any official service performed by the clerk for
6 which a fee is not otherwise provided (Sec. 51.005, Government
7 Code) . . . reasonable amount set by order or rule of supreme court;

8 (10-a) supreme court support account filing fee (Sec.
9 51.0051, Government Code) . . . amount set by the supreme court,
10 not to exceed \$50;

11 (11) issuance of attorney's license or certificate
12 (Sec. 51.006, Government Code) . . . \$10; ~~and~~

13 (12) additional filing fee to fund civil legal
14 services for the indigent (Sec. 51.941, Government Code) . . . \$25;
15 and

16 (13) statewide electronic filing system fund fee (Sec.
17 51.851, Government Code) . . . \$20.

18 (b) Section 101.0211, Government Code, is repealed.

19 SECTION 9.103. (a) Section 101.041, Government Code, is
20 amended to read as follows:

21 Sec. 101.041. COURT OF APPEALS FEES AND COSTS: GOVERNMENT
22 CODE. The clerk of a court of appeals shall collect fees and costs
23 as follows:

24 (1) for cases appealed to and filed in the court of
25 appeals from the district and county courts within its court of
26 appeals district (Sec. 51.207, Government Code) . . . \$100;

27 (2) motion for leave to file petition for writ of

1 mandamus, prohibition, injunction, and other similar proceedings
2 originating in the court of appeals (Sec. 51.207, Government Code)
3 . . . \$50;

4 (3) additional fee if the motion under Subdivision (2)
5 is granted (Sec. 51.207, Government Code) . . . \$75;

6 (4) motion to file or to extend time to file record on
7 appeal from district or county court (Sec. 51.207, Government Code)
8 . . . \$10;

9 (5) administering an oath and giving a sealed
10 certificate of oath (Sec. 51.207, Government Code) . . . \$5;

11 (6) certified copy of papers of record in court
12 offices, including certificate and seal (Sec. 51.207, Government
13 Code) . . . \$5, or \$1 per page if more than five pages;

14 (7) comparing any document with the original filed in
15 the offices of the court for purposes of certification (Sec.
16 51.207, Government Code) . . . \$5, or \$1 per page if more than five
17 pages;

18 (8) any official service performed by the clerk for
19 which a fee is not otherwise provided (Sec. 51.207, Government
20 Code) . . . a reasonable fee set by the order or rule of the supreme
21 court;

22 (8-a) supreme court support account filing fee (Sec.
23 51.208, Government Code) . . . amount set by the supreme court, not
24 to exceed \$50; ~~and~~

25 (9) additional filing fee to fund civil legal services
26 for the indigent (Sec. 51.941, Government Code) . . . \$25; and

27 (10) statewide electronic filing system fund fee (Sec.

1 51.851, Government Code) . . . \$20.

2 (b) Section 101.0411, Government Code, is repealed.

3 SECTION 9.104. (a) Section 101.0611, Government Code, as
4 amended by Section 1.03, Chapter 927 (H.B. 1513), Acts of the 83rd
5 Legislature, Regular Session, 2013, is amended to read as follows:

6 Sec. 101.0611. DISTRICT COURT FEES AND COSTS: GOVERNMENT
7 CODE. The clerk of a district court shall collect fees and costs
8 under the Government Code as follows:

9 (1) appellate judicial system filing fees for:

10 (A) First or Fourteenth Court of Appeals District
11 (Sec. 22.2021, Government Code) . . . not more than \$5;

12 (B) Second Court of Appeals District (Sec.
13 22.2031, Government Code) . . . \$5;

14 (C) Third Court of Appeals District (Sec.
15 22.2041, Government Code) . . . \$5;

16 (D) Fourth Court of Appeals District (Sec.
17 22.2051, Government Code) . . . not more than \$5;

18 (E) Fifth Court of Appeals District (Sec.
19 22.2061, Government Code) . . . not more than \$5;

20 (E-1) Sixth Court of Appeals District (Sec.
21 22.2071, Government Code) . . . \$5;

22 (E-2) Seventh Court of Appeals District (Sec.
23 22.2081, Government Code) . . . \$5;

24 (E-3) Eighth Court of Appeals District (Sec.
25 22.2091, Government Code) . . . \$5;

26 (F) Ninth Court of Appeals District (Sec.
27 22.2101, Government Code) . . . \$5;

1 (G) Eleventh Court of Appeals District (Sec.
2 22.2121, Government Code) . . . \$5;

3 (G-1) Twelfth Court of Appeals District (Sec.
4 22.2131, Government Code) . . . \$5; and

5 (H) Thirteenth Court of Appeals District (Sec.
6 22.2141, Government Code) . . . not more than \$5;

7 (2) when administering a case for the Rockwall County
8 Court at Law (Sec. 25.2012, Government Code) . . . civil fees and
9 court costs as if the case had been filed in district court;

10 (3) additional filing fees:

11 (A) for each suit filed for insurance contingency
12 fund, if authorized by the county commissioners court (Sec. 51.302,
13 Government Code) . . . not to exceed \$5;

14 (B) to fund the improvement of Dallas County
15 civil court facilities, if authorized by the county commissioners
16 court (Sec. 51.705, Government Code) . . . not more than \$15;

17 (B-1) to fund the improvement of Bexar County
18 court facilities, if authorized by the county commissioners court
19 (Sec. 51.706, Government Code) . . . not more than \$15;

20 (C) to fund the improvement of Hays County court
21 facilities, if authorized by the county commissioners court (Sec.
22 51.707, Government Code) . . . not more than \$15; ~~and~~

23 (D) to fund the preservation of court records
24 (Sec. 51.708, Government Code) . . . not more than \$10;

25 (E) to fund the construction, renovation, or
26 improvement of Rockwall County court facilities, if authorized by
27 the county commissioners court (Sec. 51.709, Government Code) . . .

1 not more than \$15; and

2 (F) to fund the construction, renovation, or
3 improvement of Travis County court facilities, if authorized by the
4 county commissioners court (Sec. 51.710, Government Code) . . . not
5 more than \$15;

6 (4) for filing a suit, including an appeal from an
7 inferior court:

8 (A) for a suit with 10 or fewer plaintiffs (Sec.
9 51.317, Government Code) . . . \$50;

10 (B) for a suit with at least 11 but not more than
11 25 plaintiffs (Sec. 51.317, Government Code) . . . \$75;

12 (C) for a suit with at least 26 but not more than
13 100 plaintiffs (Sec. 51.317, Government Code) . . . \$100;

14 (D) for a suit with at least 101 but not more than
15 500 plaintiffs (Sec. 51.317, Government Code) . . . \$125;

16 (E) for a suit with at least 501 but not more than
17 1,000 plaintiffs (Sec. 51.317, Government Code) . . . \$150; or

18 (F) for a suit with more than 1,000 plaintiffs
19 (Sec. 51.317, Government Code) . . . \$200;

20 (5) for filing a cross-action, counterclaim,
21 intervention, contempt action, motion for new trial, or third-party
22 petition (Sec. 51.317, Government Code) . . . \$15;

23 (6) for issuing a citation or other writ or process not
24 otherwise provided for, including one copy, when requested at the
25 time a suit or action is filed (Sec. 51.317, Government Code) . . .
26 \$8;

27 (7) for records management and preservation (Sec.

1 51.317, Government Code) . . . \$10;

2 (7-a) for district court records archiving, if adopted
3 by the county commissioners court (Sec. 51.317(b)(5), Government
4 Code) . . . not more than \$10;

5 (8) for issuing a subpoena, including one copy (Sec.
6 51.318, Government Code) . . . \$8;

7 (9) for issuing a citation, commission for deposition,
8 writ of execution, order of sale, writ of execution and order of
9 sale, writ of injunction, writ of garnishment, writ of attachment,
10 or writ of sequestration not provided for in Section 51.317, or any
11 other writ or process not otherwise provided for, including one
12 copy if required by law (Sec. 51.318, Government Code) . . . \$8;

13 (10) for searching files or records to locate a cause
14 when the docket number is not provided (Sec. 51.318, Government
15 Code) . . . \$5;

16 (11) for searching files or records to ascertain the
17 existence of an instrument or record in the district clerk's office
18 (Sec. 51.318, Government Code) . . . \$5;

19 (12) for abstracting a judgment (Sec. 51.318,
20 Government Code) . . . \$8;

21 (13) for approving a bond (Sec. 51.318, Government
22 Code) . . . \$4;

23 (14) for a certified copy of a record, judgment,
24 order, pleading, or paper on file or of record in the district
25 clerk's office, including certificate and seal, for each page or
26 part of a page (Sec. 51.318, Government Code) . . . not to exceed
27 \$1;

1 (15) for a noncertified copy, for each page or part of
2 a page (Sec. 51.318, Government Code) . . . not to exceed \$1;

3 (16) fee for performing a service:

4 (A) related to the matter of the estate of a
5 deceased person (Sec. 51.319, Government Code) . . . the same fee
6 allowed the county clerk for those services;

7 (B) related to the matter of a minor (Sec.
8 51.319, Government Code) . . . the same fee allowed the county
9 clerk for the service;

10 (C) of serving process by certified or registered
11 mail (Sec. 51.319, Government Code) . . . the same fee a sheriff or
12 constable is authorized to charge for the service under Section
13 118.131, Local Government Code; and

14 (D) prescribed or authorized by law but for which
15 no fee is set (Sec. 51.319, Government Code) . . . a reasonable fee;

16 (17) jury fee (Sec. 51.604, Government Code) . . .
17 \$30;

18 (18) additional filing fee for family protection on
19 filing a suit for dissolution of a marriage under Chapter 6, Family
20 Code (Sec. 51.961, Government Code) . . . not to exceed \$15; ~~and~~

21 (19) at a hearing held by an associate judge appointed
22 under Subchapter B, Chapter 54A, Government Code, a court cost to
23 preserve the record, in the absence of a court reporter, by any
24 means approved by the associate judge (Sec. 54A.110, Government
25 Code) . . . as assessed by the referring court or associate judge;
26 and

27 (20) statewide electronic filing system fund fee (Sec.

1 51.851, Government Code) . . . \$20.

2 (b) Section 101.0611, Government Code, as amended by
3 Section 2.03, Chapter 927 (H.B. 1513), Acts of the 83rd
4 Legislature, Regular Session, 2013, effective September 1, 2019, is
5 amended to read as follows:

6 Sec. 101.0611. DISTRICT COURT FEES AND COSTS: GOVERNMENT
7 CODE. The clerk of a district court shall collect fees and costs
8 under the Government Code as follows:

9 (1) appellate judicial system filing fees for:

10 (A) First or Fourteenth Court of Appeals District
11 (Sec. 22.2021, Government Code) . . . not more than \$5;

12 (B) Second Court of Appeals District (Sec.
13 22.2031, Government Code) . . . \$5;

14 (C) Third Court of Appeals District (Sec.
15 22.2041, Government Code) . . . \$5;

16 (D) Fourth Court of Appeals District (Sec.
17 22.2051, Government Code) . . . not more than \$5;

18 (E) Fifth Court of Appeals District (Sec.
19 22.2061, Government Code) . . . not more than \$5;

20 (E-1) Sixth Court of Appeals District (Sec.
21 22.2071, Government Code) . . . \$5;

22 (E-2) Seventh Court of Appeals District (Sec.
23 22.2081, Government Code) . . . \$5;

24 (E-3) Eighth Court of Appeals District (Sec.
25 22.2091, Government Code) . . . \$5;

26 (F) Ninth Court of Appeals District (Sec.
27 22.2101, Government Code) . . . \$5;

1 (G) Eleventh Court of Appeals District (Sec.
2 22.2121, Government Code) . . . \$5;

3 (G-1) Twelfth Court of Appeals District (Sec.
4 22.2131, Government Code) . . . \$5; and

5 (H) Thirteenth Court of Appeals District (Sec.
6 22.2141, Government Code) . . . not more than \$5;

7 (2) when administering a case for the Rockwall County
8 Court at Law (Sec. 25.2012, Government Code) . . . civil fees and
9 court costs as if the case had been filed in district court;

10 (3) additional filing fees:

11 (A) for each suit filed for insurance contingency
12 fund, if authorized by the county commissioners court (Sec. 51.302,
13 Government Code) . . . not to exceed \$5;

14 (B) to fund the improvement of Dallas County
15 civil court facilities, if authorized by the county commissioners
16 court (Sec. 51.705, Government Code) . . . not more than \$15;

17 (B-1) to fund the improvement of Bexar County
18 court facilities, if authorized by the county commissioners court
19 (Sec. 51.706, Government Code) . . . not more than \$15;

20 (C) to fund the improvement of Hays County court
21 facilities, if authorized by the county commissioners court (Sec.
22 51.707, Government Code) . . . not more than \$15; ~~and~~

23 (D) to fund the preservation of court records
24 (Sec. 51.708, Government Code) . . . not more than \$10;

25 (E) to fund the construction, renovation, or
26 improvement of Rockwall County court facilities, if authorized by
27 the county commissioners court (Sec. 51.709, Government Code) . . .

1 not more than \$15; and

2 (F) to fund the construction, renovation, or
3 improvement of Travis County court facilities, if authorized by the
4 county commissioners court (Sec. 51.710, Government Code) . . . not
5 more than \$15;

6 (4) for filing a suit, including an appeal from an
7 inferior court:

8 (A) for a suit with 10 or fewer plaintiffs (Sec.
9 51.317, Government Code) . . . \$50;

10 (B) for a suit with at least 11 but not more than
11 25 plaintiffs (Sec. 51.317, Government Code) . . . \$75;

12 (C) for a suit with at least 26 but not more than
13 100 plaintiffs (Sec. 51.317, Government Code) . . . \$100;

14 (D) for a suit with at least 101 but not more than
15 500 plaintiffs (Sec. 51.317, Government Code) . . . \$125;

16 (E) for a suit with at least 501 but not more than
17 1,000 plaintiffs (Sec. 51.317, Government Code) . . . \$150; or

18 (F) for a suit with more than 1,000 plaintiffs
19 (Sec. 51.317, Government Code) . . . \$200;

20 (5) for filing a cross-action, counterclaim,
21 intervention, contempt action, motion for new trial, or third-party
22 petition (Sec. 51.317, Government Code) . . . \$15;

23 (6) for issuing a citation or other writ or process not
24 otherwise provided for, including one copy, when requested at the
25 time a suit or action is filed (Sec. 51.317, Government Code) . . .
26 \$8;

27 (7) for records management and preservation (Sec.

1 51.317, Government Code) . . . \$10;

2 (7-a) for district court records archiving, if adopted
3 by the county commissioners court (Sec. 51.317(b)(5), Government
4 Code) . . . not more than \$5;

5 (8) for issuing a subpoena, including one copy (Sec.
6 51.318, Government Code) . . . \$8;

7 (9) for issuing a citation, commission for deposition,
8 writ of execution, order of sale, writ of execution and order of
9 sale, writ of injunction, writ of garnishment, writ of attachment,
10 or writ of sequestration not provided for in Section 51.317, or any
11 other writ or process not otherwise provided for, including one
12 copy if required by law (Sec. 51.318, Government Code) . . . \$8;

13 (10) for searching files or records to locate a cause
14 when the docket number is not provided (Sec. 51.318, Government
15 Code) . . . \$5;

16 (11) for searching files or records to ascertain the
17 existence of an instrument or record in the district clerk's office
18 (Sec. 51.318, Government Code) . . . \$5;

19 (12) for abstracting a judgment (Sec. 51.318,
20 Government Code) . . . \$8;

21 (13) for approving a bond (Sec. 51.318, Government
22 Code) . . . \$4;

23 (14) for a certified copy of a record, judgment,
24 order, pleading, or paper on file or of record in the district
25 clerk's office, including certificate and seal, for each page or
26 part of a page (Sec. 51.318, Government Code) . . . not to exceed
27 \$1;

1 (15) for a noncertified copy, for each page or part of
2 a page (Sec. 51.318, Government Code) . . . not to exceed \$1;

3 (16) fee for performing a service:

4 (A) related to the matter of the estate of a
5 deceased person (Sec. 51.319, Government Code) . . . the same fee
6 allowed the county clerk for those services;

7 (B) related to the matter of a minor (Sec.
8 51.319, Government Code) . . . the same fee allowed the county
9 clerk for the service;

10 (C) of serving process by certified or registered
11 mail (Sec. 51.319, Government Code) . . . the same fee a sheriff or
12 constable is authorized to charge for the service under Section
13 118.131, Local Government Code; and

14 (D) prescribed or authorized by law but for which
15 no fee is set (Sec. 51.319, Government Code) . . . a reasonable fee;

16 (17) jury fee (Sec. 51.604, Government Code) . . .
17 \$30;

18 (18) additional filing fee for family protection on
19 filing a suit for dissolution of a marriage under Chapter 6, Family
20 Code (Sec. 51.961, Government Code) . . . not to exceed \$15; ~~and~~

21 (19) at a hearing held by an associate judge appointed
22 under Subchapter B, Chapter 54A, Government Code, a court cost to
23 preserve the record, in the absence of a court reporter, by any
24 means approved by the associate judge (Sec. 54A.110, Government
25 Code) . . . as assessed by the referring court or associate judge;
26 and

27 (20) statewide electronic filing system fund fee (Sec.

1 51.851, Government Code) . . . \$20.

2 (c) Sections 101.06118, 101.061191, and 101.06120,
3 Government Code, are repealed.

4 SECTION 9.105. Section 101.0616, Government Code, is
5 amended to conform to Chapter 680 (H.B. 2502), Acts of the 81st
6 Legislature, Regular Session, 2009, and Chapter 982 (H.B. 2080),
7 Acts of the 83rd Legislature, Regular Session, 2013, and is further
8 amended to read as follows:

9 Sec. 101.0616. DISTRICT COURT FEES AND COSTS: ESTATES
10 [~~TEXAS PROBATE~~] CODE. The clerk of a district court shall collect
11 fees and costs under the Estates [~~Texas Probate~~] Code as follows:

12 (1) security deposit on filing, by any person other
13 than the personal representative of an estate, an application,
14 complaint, or opposition in relation to the estate, if required by
15 the clerk (Sec. 53.052, Estates Code) [~~(Sec. 12, Texas Probate~~
16 ~~Code)~~] . . . probable cost of the proceeding;

17 (2) fee on filing an application, complaint, petition,
18 or other paper in a guardianship proceeding, which includes a
19 deposit for payment to an attorney ad litem (Sec. 1052.051, Estates
20 Code) . . . cost of filing and payment of attorney ad litem;

21 (3) security deposit on filing, by any person other
22 than the guardian, attorney ad litem, or guardian ad litem, an
23 application, complaint, or opposition in relation to a guardianship
24 matter, if required by the clerk (Sec. 1053.052, Estates Code)
25 [~~(Sec. 622, Texas Probate Code)~~] . . . probable cost of the
26 guardianship proceeding; [~~and~~]

27 (4) nonrefundable fee to cover the cost of

1 administering Subchapter G, Chapter 1104, Estates Code (Sec.
2 1104.303, Estates Code) . . . \$40; and

3 (5) [(3)] costs for attorney ad litem appointed to
4 pursue the restoration of a ward's capacity or modification of the
5 ward's guardianship (Sec. 1202.102, Estates Code) [(Secs. 694C and
6 694L, Texas Probate Code)] . . . reasonable compensation.

7 SECTION 9.106. (a) Section 101.0811, Government Code, is
8 amended to read as follows:

9 Sec. 101.0811. STATUTORY COUNTY COURT FEES AND COSTS:
10 GOVERNMENT CODE. The clerk of a statutory county court shall
11 collect fees and costs under the Government Code as follows:

12 (1) appellate judicial system filing fees:

13 (A) First or Fourteenth Court of Appeals District
14 (Sec. 22.2021, Government Code) . . . not more than \$5;

15 (B) Second Court of Appeals District (Sec.
16 22.2031, Government Code) . . . \$5;

17 (C) Third Court of Appeals District (Sec.
18 22.2041, Government Code) . . . \$5;

19 (D) Fourth Court of Appeals District (Sec.
20 22.2051, Government Code) . . . not more than \$5;

21 (E) Fifth Court of Appeals District (Sec.
22 22.2061, Government Code) . . . not more than \$5;

23 (E-1) Sixth Court of Appeals District (Sec.
24 22.2071, Government Code) . . . \$5;

25 (E-2) Seventh Court of Appeals District (Sec.
26 22.2081, Government Code) . . . \$5;

27 (E-3) Eighth Court of Appeals District (Sec.

- 1 22.2091, Government Code) . . . \$5;
- 2 (F) Ninth Court of Appeals District (Sec.
- 3 22.2101, Government Code) . . . \$5;
- 4 (G) Eleventh Court of Appeals District (Sec.
- 5 22.2121, Government Code) . . . \$5;
- 6 (G-1) Twelfth Court of Appeals District (Sec.
- 7 22.2131, Government Code) . . . \$5; and
- 8 (H) Thirteenth Court of Appeals District (Sec.
- 9 22.2141, Government Code) . . . not more than \$5;
- 10 (2) an official court reporter fee, County Court at
- 11 Law No. 2 of Bexar County (Sec. 25.0172, Government Code) . . . \$3;
- 12 (3) in Brazoria County, in matters of concurrent
- 13 jurisdiction with the district court, fees (Sec. 25.0222,
- 14 Government Code) . . . as prescribed by law for district judges
- 15 according to the nature of the matter;
- 16 (4) a court reporter fee when testimony is taken in a
- 17 county court at law in McLennan County (Sec. 25.1572, Government
- 18 Code) . . . \$3;
- 19 (5) a stenographer fee, if a record or part of a record
- 20 is made:
- 21 (A) in a county court at law in Hidalgo County
- 22 (Sec. 25.1102, Government Code) . . . \$20; and
- 23 (B) in the 1st Multicounty Court at Law (Sec.
- 24 25.2702, Government Code) . . . \$25 [~~in a county court at law in~~
- 25 ~~Nolan County (Sec. 25.1792, Government Code) . . . \$25~~];
- 26 (6) jury fee (Sec. 51.604, Government Code) . . . \$22;
- 27 (7) an additional filing fee:

1 (A) for each civil case filed to be used for
2 court-related purposes for the support of the judiciary (Sec.
3 51.702, Government Code) . . . \$40;

4 (B) to fund the improvement of Dallas County
5 civil court facilities, if authorized by the county commissioners
6 court (Sec. 51.705, Government Code) . . . not more than \$15;

7 (B-1) to fund the improvement of Bexar County
8 court facilities, if authorized by the county commissioners court
9 (Sec. 51.706, Government Code) . . . not more than \$15;

10 (C) to fund the improvement of Hays County court
11 facilities, if authorized by the county commissioners court (Sec.
12 51.707, Government Code) . . . not more than \$15; ~~and~~

13 (D) to fund the preservation of court records
14 (Sec. 51.708, Government Code) . . . not more than \$10;

15 (E) to fund the construction, renovation, or
16 improvement of Rockwall County court facilities, if authorized by
17 the county commissioners court (Sec. 51.709, Government Code) . . .
18 not more than \$15; and

19 (F) to fund the construction, renovation, or
20 improvement of Travis County court facilities, if authorized by the
21 county commissioners court (Sec. 51.710, Government Code) . . . not
22 more than \$15;

23 (8) the official court reporter's fee taxed as costs in
24 civil actions in a statutory county court:

25 (A) in Bexar County Courts at Law Nos. 3, 4, 5, 6,
26 7, 8, 9, 10, 11, 12, 13, 14, and 15 (Sec. 25.0172, Government Code)
27 . . . taxed in the same manner as the fee is taxed in district

1 court;

2 (B) in Galveston County (Sec. 25.0862,
3 Government Code) . . . taxed in the same manner as the fee is taxed
4 in civil cases in the district courts; and

5 (C) in Parker County (Sec. 25.1862, Government
6 Code) . . . taxed in the same manner as the fee is taxed in civil
7 cases in the district courts;

8 (9) [~~a stenographer's fee as costs in each civil,~~
9 ~~criminal, and probate case in which a record is made by the official~~
10 ~~court reporter in a statutory county court in Nolan County (Sec.~~
11 ~~25.1792, Government Code) . . . \$25;~~

12 [~~(10)~~] in Nueces County, in matters of concurrent
13 jurisdiction with the district court, with certain exceptions, fees
14 (Sec. 25.1802, Government Code) . . . equal to those in district
15 court cases;

16 (10) [~~(11)~~] a fee not otherwise listed in this
17 subchapter that is required to be collected under Section 25.0008,
18 Government Code, in a county other than Brazos, Cameron, Ellis,
19 Guadalupe, Harris, Henderson, Liberty, Moore, Nolan, Panola,
20 Parker, Starr, Victoria, and Williamson . . . as prescribed by law
21 relating to county judges' fees; [~~and~~]

22 (11) [~~(12)~~] at a hearing held by an associate judge
23 appointed under Subchapter B, Chapter 54A, Government Code, a court
24 cost to preserve the record, in the absence of a court reporter, by
25 any means approved by the associate judge (Sec. 54A.110, Government
26 Code) . . . as assessed by the referring court or associate judge;

27 and

1 (12) statewide electronic filing system fund fee (Sec.
2 51.851, Government Code) . . . \$20.

3 (b) The following are repealed:

4 (1) Section 101.08117, Government Code, as added by
5 Chapter 1059 (H.B. 3153), Acts of the 83rd Legislature, Regular
6 Session, 2013;

7 (2) Section 101.08117, Government Code, as added by
8 Chapter 1290 (H.B. 2302), Acts of the 83rd Legislature, Regular
9 Session, 2013;

10 (3) Section 101.08119, Government Code, as added by
11 Chapter 1238 (S.B. 1827), Acts of the 83rd Legislature, Regular
12 Session, 2013; and

13 (4) Section 101.08119, Government Code, as added by
14 Chapter 1246 (S.B. 1891), Acts of the 83rd Legislature, Regular
15 Session, 2013.

16 SECTION 9.107. (a) Section 101.0814, Government Code, is
17 amended to read as follows:

18 Sec. 101.0814. STATUTORY COUNTY COURT FEES AND COSTS: LOCAL
19 GOVERNMENT CODE. The clerk of a statutory county court shall
20 collect fees and costs under the Local Government Code as follows:

21 (1) additional filing fee to fund contingency fund for
22 liability insurance, if authorized by the county commissioners
23 court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;

24 (2) civil court actions (Sec. 118.052, Local
25 Government Code):

26 (A) filing of original action (Secs. 118.052 and
27 118.053, Local Government Code):

1 (i) garnishment after judgment (Sec.
2 [118.052](#), Local Government Code) . . . \$15; and
3 (ii) all others (Sec. [118.052](#), Local
4 Government Code) . . . \$40;
5 (B) filing of action other than original (Secs.
6 [118.052](#) and [118.054](#), Local Government Code) . . . \$30; and
7 (C) services rendered after judgment in original
8 action (Secs. [118.052](#) and [118.0545](#), Local Government Code):
9 (i) abstract of judgment (Sec. [118.052](#),
10 Local Government Code) . . . \$5; and
11 (ii) execution, order of sale, writ, or
12 other process (Sec. [118.052](#), Local Government Code) . . . \$5;
13 (3) probate court actions (Sec. [118.052](#), Local
14 Government Code):
15 (A) probate original action (Secs. [118.052](#) and
16 [118.055](#), Local Government Code):
17 (i) probate of a will with independent
18 executor, administration with will attached, administration of an
19 estate, guardianship or receivership of an estate, or muniment of
20 title (Sec. [118.052](#), Local Government Code) . . . \$40;
21 (ii) community survivors (Sec. [118.052](#),
22 Local Government Code) . . . \$40;
23 (iii) small estates (Sec. [118.052](#), Local
24 Government Code) . . . \$40;
25 (iv) declarations of heirship (Sec.
26 [118.052](#), Local Government Code) . . . \$40;
27 (v) mental health or chemical dependency

1 services (Sec. 118.052, Local Government Code) . . . \$40; and
2 (vi) additional, special fee (Secs. 118.052
3 and 118.064, Local Government Code) . . . \$5;
4 (B) services in pending probate action (Secs.
5 118.052 and 118.056, Local Government Code):
6 (i) filing an inventory and appraisement
7 (Secs. 118.052 and 118.056(d), Local Government Code) . . . \$25;
8 (ii) approving and recording bond (Sec.
9 118.052, Local Government Code) . . . \$3;
10 (iii) administering oath (Sec. 118.052,
11 Local Government Code) . . . \$2;
12 (iv) filing annual or final account of
13 estate (Sec. 118.052, Local Government Code) . . . \$25;
14 (v) filing application for sale of real or
15 personal property (Sec. 118.052, Local Government Code) . . . \$25;
16 (vi) filing annual or final report of
17 guardian of a person (Sec. 118.052, Local Government Code) . . .
18 \$10; and
19 (vii) filing a document not listed under
20 this paragraph after the filing of an order approving the inventory
21 and appraisement or after the 120th day after the date of the
22 initial filing of the action, whichever occurs first (Secs. 118.052
23 and 191.007, Local Government Code), if more than 25 pages . . .
24 \$25;
25 (C) adverse probate action (Secs. 118.052 and
26 118.057, Local Government Code) . . . \$40;
27 (D) claim against estate (Secs. 118.052 and

1 118.058, Local Government Code) . . . \$2; [~~and~~]

2 (E) supplemental court-initiated guardianship
3 fee (Secs. 118.052 and 118.067, Local Government Code) . . . \$20;

4 and

5 (F) supplemental public probate administrator
6 fee (Secs. 118.052 and 118.068, Local Government Code) . . . \$10;

7 (4) other fees (Sec. 118.052, Local Government Code):

8 (A) issuing document (Secs. 118.052 and 118.059,
9 Local Government Code):

10 (i) original document and one copy (Sec.
11 118.052, Local Government Code) . . . \$4; and

12 (ii) each additional set of an original and
13 one copy (Sec. 118.052, Local Government Code) . . . \$4;

14 (B) certified papers (Secs. 118.052 and 118.060,
15 Local Government Code):

16 (i) for the clerk's certificate (Sec.
17 118.052, Local Government Code) . . . \$5; and

18 (ii) a fee per page or part of a page (Sec.
19 118.052, Local Government Code) . . . \$1;

20 (C) noncertified papers, for each page or part of
21 a page (Secs. 118.052 and 118.0605, Local Government Code) . . .
22 \$1;

23 (D) letters testamentary, letter of
24 guardianship, letter of administration, or abstract of judgment
25 (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;

26 (E) safekeeping of wills (Secs. 118.052 and
27 118.062, Local Government Code) . . . \$5;

1 (F) mail service of process (Secs. 118.052 and
2 118.063, Local Government Code) . . . same as sheriff; and

3 (G) records management and preservation fee
4 (Secs. 118.052, 118.0546, and 118.0645, Local Government Code)
5 . . . \$5;

6 (5) additional filing fee for filing any civil action
7 or proceeding requiring a filing fee, including an appeal, and on
8 the filing of any counterclaim, cross-action, intervention,
9 interpleader, or third-party action requiring a filing fee, to fund
10 civil legal services for the indigent (Sec. 133.153, Local
11 Government Code) . . . \$10;

12 (6) on the filing of a civil suit, an additional filing
13 fee to be used for court-related purposes for the support of the
14 judiciary (Sec. 133.154, Local Government Code) . . . \$42;

15 (7) additional filing fee to fund the courthouse
16 security fund, if authorized by the county commissioners court
17 (Sec. 291.008, Local Government Code) . . . not to exceed \$5;

18 (8) additional filing fee for filing documents not
19 subject to certain filing fees to fund the courthouse security
20 fund, if authorized by the county commissioners court (Sec.
21 291.008, Local Government Code) . . . \$1;

22 (9) additional filing fee to fund the courthouse
23 security fund in Webb County, if authorized by the county
24 commissioners court (Sec. 291.009, Local Government Code) . . . not
25 to exceed \$20; and

26 (10) court cost in civil cases other than suits for
27 delinquent taxes to fund the county law library fund, if authorized

1 by the county commissioners court (Sec. 323.023, Local Government
2 Code) . . . not to exceed \$35.

3 (b) Section 101.08145, Government Code, is repealed.

4 SECTION 9.108. Section 101.0815, Government Code, is
5 amended to conform to Chapter 680 (H.B. 2502), Acts of the 81st
6 Legislature, Regular Session, 2009, and Chapter 982 (H.B. 2080),
7 Acts of the 83rd Legislature, Regular Session, 2013, and is further
8 amended to read as follows:

9 Sec. 101.0815. STATUTORY COUNTY COURT FEES AND
10 COSTS: ESTATES [~~TEXAS PROBATE~~] CODE. The clerk of a statutory
11 county court shall collect fees and costs under the Estates [~~Texas~~
12 ~~Probate~~] Code as follows:

13 (1) fee for deposit of a will with the county clerk
14 during testator's lifetime (Sec. 252.001, Estates Code) [~~(Sec. 71,~~
15 ~~Texas Probate Code)~~] . . . \$5;

16 (2) security deposit on filing, by any person other
17 than the personal representative of an estate, an application,
18 complaint, or opposition in relation to the estate, if required by
19 the clerk (Sec. 53.052, Estates Code) [~~(Sec. 12, Texas Probate~~
20 ~~Code)~~] . . . probable cost of the proceeding;

21 (3) fee on filing an application, complaint, petition,
22 or other paper in a guardianship proceeding, which includes a
23 deposit for payment to an attorney ad litem (Sec. 1052.051, Estates
24 Code) . . . cost of filing and payment of attorney ad litem;

25 (4) security deposit on filing, by any person other
26 than the guardian, attorney ad litem, or guardian ad litem, an
27 application, complaint, or opposition in relation to a guardianship

1 matter, if required by the clerk (Sec. 1053.052, Estates Code)
2 [~~Sec. 622, Texas Probate Code~~] . . . probable cost of the
3 guardianship proceeding; [~~and~~]

4 (5) nonrefundable fee to cover the cost of
5 administering Subchapter G, Chapter 1104, Estates Code (Sec.
6 1104.303, Estates Code) . . . \$40; and

7 (6) [~~(4)~~] costs for attorney ad litem appointed to
8 pursue the restoration of a ward's capacity or modification of the
9 ward's guardianship (Sec. 1202.102, Estates Code) [~~(Secs. 694C and~~
10 ~~694L, Texas Probate Code)~~] . . . reasonable compensation.

11 SECTION 9.109. (a) Section 101.1011, Government Code, is
12 amended to read as follows:

13 Sec. 101.1011. STATUTORY PROBATE COURT FEES AND
14 COSTS: GOVERNMENT CODE. The clerk of a statutory probate court
15 shall collect fees and costs under the Government Code as follows:

- 16 (1) appellate judicial system filing fees:
 - 17 (A) First or Fourteenth Court of Appeals District
18 (Sec. 22.2021, Government Code) . . . not more than \$5;
 - 19 (B) Second Court of Appeals District (Sec.
20 22.2031, Government Code) . . . \$5;
 - 21 (C) Third Court of Appeals District (Sec.
22 22.2041, Government Code) . . . \$5;
 - 23 (D) Fourth Court of Appeals District (Sec.
24 22.2051, Government Code) . . . not more than \$5;
 - 25 (E) Fifth Court of Appeals District (Sec.
26 22.2061, Government Code) . . . not more than \$5;
 - 27 (E-1) Sixth Court of Appeals District (Sec.

1 22.2071, Government Code) . . . \$5;
2 (E-2) Seventh Court of Appeals District (Sec.
3 22.2081, Government Code) . . . \$5;
4 (E-3) Eighth Court of Appeals District (Sec.
5 22.2091, Government Code) . . . \$5;
6 (F) Ninth Court of Appeals District (Sec.
7 22.2101, Government Code) . . . \$5;
8 (G) Eleventh Court of Appeals District (Sec.
9 22.2121, Government Code) . . . \$5;
10 (G-1) Twelfth Court of Appeals District (Sec.
11 22.2131, Government Code) . . . \$5; and
12 (H) Thirteenth Court of Appeals District (Sec.
13 22.2141, Government Code) . . . not more than \$5;
14 (2) additional filing fees as follows:
15 (A) for certain cases to be used for
16 court-related purposes for support of the judiciary (Sec. 51.704,
17 Government Code) . . . \$40;
18 (B) to fund the improvement of Dallas County
19 civil court facilities, if authorized by the county commissioners
20 court (Sec. 51.705, Government Code) . . . not more than \$15;
21 (B-1) to fund the improvement of Bexar County
22 court facilities, if authorized by the county commissioners court
23 (Sec. 51.706, Government Code) . . . not more than \$15; ~~and~~
24 (C) to fund the improvement of Hays County court
25 facilities, if authorized by the county commissioners court (Sec.
26 51.707, Government Code) . . . not more than \$15;
27 (D) to fund the construction, renovation, or

1 improvement of Rockwall County court facilities, if authorized by
2 the county commissioners court (Sec. 51.709, Government Code) . . .
3 not more than \$15; and

4 (E) to fund the construction, renovation, or
5 improvement of Travis County court facilities, if authorized by the
6 county commissioners court (Sec. 51.710, Government Code) . . . not
7 more than \$15;

8 (3) jury fee for civil case (Sec. 51.604, Government
9 Code) . . . \$22;

10 (4) the expense of preserving the record as a court
11 cost, if imposed on a party by the referring court or associate
12 judge (Sec. 54A.211, Government Code) . . . actual cost; ~~and~~

13 (5) a fee not otherwise listed in this subchapter that
14 is required to be collected under Section 25.0029, Government Code
15 (Sec. 25.0029, Government Code) . . . as prescribed by law relating
16 to county judges' fees; and

17 (6) statewide electronic filing system fund fee (Sec.
18 51.851, Government Code) . . . \$20.

19 (b) The following are repealed:

20 (1) Section 101.10116, Government Code;

21 (2) Section 101.10118, Government Code, as added by
22 Chapter 1238 (S.B. 1827), Acts of the 83rd Legislature, Regular
23 Session, 2013; and

24 (3) Section 101.10118, Government Code, as added by
25 Chapter 1246 (S.B. 1891), Acts of the 83rd Legislature, Regular
26 Session, 2013.

27 SECTION 9.110. (a) Section 101.1013, Government Code, is

1 amended to read as follows:

2 Sec. 101.1013. STATUTORY PROBATE COURT FEES AND
3 COSTS: LOCAL GOVERNMENT CODE. The clerk of a statutory probate
4 court shall collect fees and costs under the Local Government Code
5 as follows:

6 (1) additional filing fee for filing any civil action
7 or proceeding requiring a filing fee, including an appeal, and on
8 the filing of any counterclaim, cross-action, intervention,
9 interpleader, or third-party action requiring a filing fee to fund
10 civil legal services for the indigent (Sec. 133.153, Local
11 Government Code) . . . \$10;

12 (2) additional filing fee to fund contingency fund for
13 liability insurance, if authorized by the county commissioners
14 court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;

15 (3) probate court actions (Sec. 118.052, Local
16 Government Code):

17 (A) probate original action (Secs. 118.052 and
18 118.055, Local Government Code):

19 (i) probate of a will with independent
20 executor, administration with will attached, administration of an
21 estate, guardianship or receivership of an estate, or muniment of
22 title (Sec. 118.052, Local Government Code) . . . \$40;

23 (ii) community survivors (Sec. 118.052,
24 Local Government Code) . . . \$40;

25 (iii) small estates (Sec. 118.052, Local
26 Government Code) . . . \$40;

27 (iv) declarations of heirship (Sec.

1 118.052, Local Government Code) . . . \$40;

2 (v) mental health or chemical dependency

3 services (Sec. 118.052, Local Government Code) . . . \$40; and

4 (vi) additional, special fee (Secs. 118.052

5 and 118.064, Local Government Code) . . . \$5;

6 (B) services in pending probate action (Secs.

7 118.052 and 118.056, Local Government Code):

8 (i) filing an inventory and appraisement

9 (Secs. 118.052 and 118.056(d), Local Government Code) . . . \$25;

10 (ii) approving and recording bond (Sec.

11 118.052, Local Government Code) . . . \$3;

12 (iii) administering oath (Sec. 118.052,

13 Local Government Code) . . . \$2;

14 (iv) filing annual or final account of

15 estate (Sec. 118.052, Local Government Code). . . \$25;

16 (v) filing application for sale of real or

17 personal property (Sec. 118.052, Local Government Code) . . . \$25;

18 (vi) filing annual or final report of

19 guardian of a person (Sec. 118.052, Local Government Code) . . .

20 \$10; and

21 (vii) filing a document not listed under

22 this paragraph after the filing of an order approving the inventory

23 and appraisement or after the 120th day after the date of the

24 initial filing of the action, whichever occurs first (Secs. 118.052

25 and 191.007, Local Government Code), if more than 25 pages . . .

26 \$25;

27 (C) adverse probate action (Secs. 118.052 and

1 118.057, Local Government Code) . . . \$40;

2 (D) claim against estate (Secs. 118.052 and

3 118.058, Local Government Code) . . . \$2; ~~and~~

4 (E) supplemental court-initiated guardianship

5 fee (Secs. 118.052 and 118.067, Local Government Code) . . . \$20;

6 and

7 (F) supplemental public probate administrator

8 fee (Secs. 118.052 and 118.068, Local Government Code) . . . \$10;

9 (4) other fees (Sec. 118.052, Local Government Code):

10 (A) issuing document (Secs. 118.052 and 118.059,

11 Local Government Code):

12 (i) original document and one copy (Sec.

13 118.052, Local Government Code) . . . \$4; and

14 (ii) each additional set of an original and

15 one copy (Sec. 118.052, Local Government Code) . . . \$4;

16 (B) certified papers (Secs. 118.052 and 118.060,

17 Local Government Code):

18 (i) for the clerk's certificate (Sec.

19 118.052, Local Government Code) . . . \$5; and

20 (ii) a fee per page or part of a page (Sec.

21 118.052, Local Government Code) . . . \$1;

22 (C) noncertified papers, for each page or part of

23 a page (Secs. 118.052 and 118.0605, Local Government Code) . . .

24 \$1;

25 (D) letters testamentary, letter of

26 guardianship, letter of administration, or abstract of judgment

27 (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;

1 (E) safekeeping of wills (Secs. 118.052 and
2 118.062, Local Government Code) . . . \$5;

3 (F) mail service of process (Secs. 118.052 and
4 118.063, Local Government Code) . . . same as sheriff; and

5 (G) records management and preservation fee
6 (Secs. 118.052 and 118.0645, Local Government Code) . . . \$5; and

7 (5) court cost in civil cases other than suits for
8 delinquent taxes to fund the county law library fund, if authorized
9 by the county commissioners court (Sec. 323.023, Local Government
10 Code) . . . not to exceed \$35.

11 (b) Section 101.103, Government Code, is repealed.

12 SECTION 9.111. Section 101.1014, Government Code, is
13 amended to conform to Chapter 680 (H.B. 2502), Acts of the 81st
14 Legislature, Regular Session, 2009, and Chapter 982 (H.B. 2080),
15 Acts of the 83rd Legislature, Regular Session, 2013, and is further
16 amended to read as follows:

17 Sec. 101.1014. STATUTORY PROBATE COURT FEES AND
18 COSTS: ESTATES [~~TEXAS PROBATE~~] CODE. The clerk of a statutory
19 probate court shall collect fees and costs under the Estates [~~Texas~~
20 ~~Probate~~] Code as follows:

21 (1) fee for deposit of a will with the county clerk
22 during testator's lifetime (Sec. 252.001, Estates Code) [~~(Sec. 71,~~
23 ~~Texas Probate Code)~~] . . . \$5;

24 (2) security deposit on filing, by any person other
25 than the personal representative of an estate, an application,
26 complaint, or opposition in relation to the estate, if required by
27 the clerk (Sec. 53.052, Estates Code) [~~(Sec. 12, Texas Probate~~

1 ~~Code)~~] . . . probable cost of the proceeding;

2 (3) fee on filing an application, complaint, petition,
3 or other paper in a guardianship proceeding, which includes a
4 deposit for payment to an attorney ad litem (Sec. 1052.051, Estates
5 Code) . . . cost of filing and payment of attorney ad litem;

6 (4) security deposit on filing, by any person other
7 than the guardian, attorney ad litem, or guardian ad litem, an
8 application, complaint, or opposition in relation to a guardianship
9 matter, if required by the clerk (Sec. 1053.052, Estates Code)
10 [~~Sec. 622, Texas Probate Code~~] . . . probable cost of the
11 guardianship proceeding; ~~and~~

12 (5) nonrefundable fee to cover the cost of
13 administering Subchapter G, Chapter 1104, Estates Code (Sec.
14 1104.303, Estates Code) . . . \$40; and

15 (6) [~~4~~] costs for attorney ad litem appointed to
16 pursue the restoration of a ward's capacity or modification of the
17 ward's guardianship (Sec. 1202.102, Estates Code) [~~Secs. 694C and~~
18 ~~694L, Texas Probate Code~~] . . . reasonable compensation.

19 SECTION 9.112. (a) Section 101.1212, Government Code, is
20 amended to read as follows:

21 Sec. 101.1212. COUNTY COURT FEES AND COSTS: GOVERNMENT
22 CODE. The clerk of a county court shall collect the following fees
23 and costs under the Government Code:

24 (1) appellate judicial system filing fees:

25 (A) First or Fourteenth Court of Appeals District
26 (Sec. 22.2021, Government Code) . . . not more than \$5;

27 (B) Second Court of Appeals District (Sec.

1 22.2031, Government Code) . . . \$5;
2 (C) Third Court of Appeals District (Sec.
3 22.2041, Government Code) . . . \$5;
4 (D) Fourth Court of Appeals District (Sec.
5 22.2051, Government Code) . . . not more than \$5;
6 (E) Fifth Court of Appeals District (Sec.
7 22.2061, Government Code) . . . not more than \$5;
8 (E-1) Sixth Court of Appeals District (Sec.
9 22.2071, Government Code) . . . \$5;
10 (E-2) Seventh Court of Appeals District (Sec.
11 22.2081, Government Code) . . . \$5;
12 (E-3) Eighth Court of Appeals District (Sec.
13 22.2091, Government Code) . . . \$5;
14 (F) Ninth Court of Appeals District (Sec.
15 22.2101, Government Code) . . . \$5;
16 (G) Eleventh Court of Appeals District (Sec.
17 22.2121, Government Code) . . . \$5;
18 (G-1) Twelfth Court of Appeals District (Sec.
19 22.2131, Government Code) . . . \$5; and
20 (H) Thirteenth Court of Appeals District (Sec.
21 22.2141, Government Code) . . . not more than \$5;
22 (2) a jury fee (Sec. 51.604, Government Code) . . .
23 \$22;
24 (3) a filing fee in each civil case filed to be used
25 for court-related purposes for the support of the judiciary (Sec.
26 51.703, Government Code) . . . \$40; ~~and~~
27 (4) a filing fee to fund the preservation of court

1 records (Sec. 51.708, Government Code) . . . not more than \$10; and
2 (5) a statewide electronic filing system fund fee
3 (Sec. 51.851, Government Code) . . . \$20.

4 (b) Section 101.12126, Government Code, is repealed.

5 SECTION 9.113. (a) Section 101.1214, Government Code, is
6 amended to read as follows:

7 Sec. 101.1214. COUNTY COURT FEES AND COSTS: LOCAL
8 GOVERNMENT CODE. The clerk of a county court shall collect the
9 following fees and costs under the Local Government Code:

10 (1) additional filing fee to fund contingency fund for
11 liability insurance, if authorized by the county commissioners
12 court (Sec. 82.003, Local Government Code) . . . not to exceed \$5;

13 (2) civil court actions (Sec. 118.052, Local
14 Government Code):

15 (A) filing of original action (Secs. 118.052 and
16 118.053, Local Government Code):

17 (i) garnishment after judgment (Sec.
18 118.052, Local Government Code) . . . \$15; and

19 (ii) all others (Sec. 118.052, Local
20 Government Code) . . . \$40;

21 (B) filing of action other than original (Secs.
22 118.052 and 118.054, Local Government Code) . . . \$30; and

23 (C) services rendered after judgment in original
24 action (Secs. 118.052 and 118.0545, Local Government Code):

25 (i) abstract of judgment (Sec. 118.052,
26 Local Government Code) . . . \$5; and

27 (ii) execution, order of sale, writ, or

1 other process (Sec. 118.052, Local Government Code) . . . \$5;

2 (3) probate court actions (Sec. 118.052, Local
3 Government Code):

4 (A) probate original action (Secs. 118.052 and
5 118.055, Local Government Code):

6 (i) probate of a will with independent
7 executor, administration with will attached, administration of an
8 estate, guardianship or receivership of an estate, or muniment of
9 title (Sec. 118.052, Local Government Code) . . . \$40;

10 (ii) community survivors (Sec. 118.052,
11 Local Government Code) . . . \$40;

12 (iii) small estates (Sec. 118.052, Local
13 Government Code) . . . \$40;

14 (iv) declarations of heirship (Sec.
15 118.052, Local Government Code) . . . \$40;

16 (v) mental health or chemical dependency
17 services (Sec. 118.052, Local Government Code) . . . \$40; and

18 (vi) additional, special fee (Secs. 118.052
19 and 118.064, Local Government Code) . . . \$5;

20 (B) services in pending probate action (Secs.
21 118.052 and 118.056, Local Government Code):

22 (i) filing an inventory and appraisalment
23 (Secs. 118.052 and 118.056(d), Local Government Code) . . . \$25;

24 (ii) approving and recording bond (Sec.
25 118.052, Local Government Code) . . . \$3;

26 (iii) administering oath (Sec. 118.052,
27 Local Government Code) . . . \$2;

1 (iv) filing annual or final account of
2 estate (Sec. 118.052, Local Government Code) . . . \$25;

3 (v) filing application for sale of real or
4 personal property (Sec. 118.052, Local Government Code) . . . \$25;

5 (vi) filing annual or final report of
6 guardian of a person (Sec. 118.052, Local Government Code) . . .
7 \$10; and

8 (vii) filing a document not listed under
9 this paragraph after the filing of an order approving the inventory
10 and appraisal or after the 120th day after the date of the
11 initial filing of the action, whichever occurs first (Secs. 118.052
12 and 191.007, Local Government Code), if more than 25 pages . . .
13 \$25;

14 (C) adverse probate action (Secs. 118.052 and
15 118.057, Local Government Code) . . . \$40;

16 (D) claim against estate (Secs. 118.052 and
17 118.058, Local Government Code) . . . \$2; ~~and~~

18 (E) supplemental court-initiated guardianship
19 fee (Secs. 118.052 and 118.067, Local Government Code) . . . \$20;
20 and

21 (F) supplemental public probate administrator
22 fee (Secs. 118.052 and 118.068, Local Government Code) . . . \$10;

23 (4) other fees (Sec. 118.052, Local Government Code):

24 (A) issuing document (Secs. 118.052 and 118.059,
25 Local Government Code):

26 (i) original document and one copy (Sec.
27 118.052, Local Government Code) . . . \$4; and

1 (ii) each additional set of an original and
2 one copy (Sec. 118.052, Local Government Code) . . . \$4;

3 (B) certified papers (Secs. 118.052 and 118.060,
4 Local Government Code):

5 (i) for the clerk's certificate (Sec.
6 118.052, Local Government Code) . . . \$5; and

7 (ii) a fee per page or part of a page (Sec.
8 118.052, Local Government Code) . . . \$1;

9 (C) noncertified papers, for each page or part of
10 a page (Secs. 118.052 and 118.0605, Local Government Code) . . .
11 \$1;

12 (D) letters testamentary, letter of
13 guardianship, letter of administration, or abstract of judgment
14 (Secs. 118.052 and 118.061, Local Government Code) . . . \$2;

15 (E) safekeeping of wills (Secs. 118.052 and
16 118.062, Local Government Code) . . . \$5;

17 (F) mail service of process (Secs. 118.052 and
18 118.063, Local Government Code) . . . same as sheriff; and

19 (G) records management and preservation fee
20 (Secs. 118.052, 118.0546, and 118.0645, Local Government Code)
21 . . . \$5;

22 (5) deposit on filing petition requesting permission
23 to create a municipal civic center authority (Sec. 281.013, Local
24 Government Code) . . . \$200;

25 (6) additional filing fee to fund the courthouse
26 security fund, if authorized by the county commissioners court
27 (Sec. 291.008, Local Government Code) . . . not to exceed \$5;

1 (7) additional filing fee for filing documents not
2 subject to certain filing fees to fund the courthouse security
3 fund, if authorized by the county commissioners court (Sec.
4 [291.008](#), Local Government Code) . . . \$1;

5 (8) additional filing fee to fund the courthouse
6 security fund in Webb County, if authorized by the county
7 commissioners court (Sec. [291.009](#), Local Government Code) . . . not
8 to exceed \$20;

9 (9) court cost in civil cases other than suits for
10 delinquent taxes to fund the county law library fund, if authorized
11 by the county commissioners court (Sec. [323.023](#), Local Government
12 Code) . . . not to exceed \$35;

13 (10) additional filing fee for filing any civil action
14 or proceeding requiring a filing fee, including an appeal, and on
15 the filing of any counterclaim, cross-action, intervention,
16 interpleader, or third-party action requiring a filing fee, to fund
17 civil legal services for the indigent (Sec. [133.153](#), Local
18 Government Code) . . . \$10; and

19 (11) on the filing of a civil suit an additional filing
20 fee to be used for court-related purposes for the support of the
21 judiciary (Sec. [133.154](#), Local Government Code) . . . \$42.

22 (b) Section [101.12145](#), Government Code, is repealed.

23 SECTION 9.114. Section [101.1215](#), Government Code, is
24 amended to conform to Chapter 680 (H.B. 2502), Acts of the 81st
25 Legislature, Regular Session, 2009, and Chapter 982 (H.B. 2080),
26 Acts of the 83rd Legislature, Regular Session, 2013, and is further
27 amended to read as follows:

1 Sec. 101.1215. COUNTY COURT FEES AND COSTS: ESTATES [~~TEXAS~~
2 ~~PROBATE~~] CODE. The clerk of a county court shall collect the
3 following fees and costs under the Estates [~~Texas Probate~~] Code:

4 (1) fee for deposit of a will with the county clerk
5 during testator's lifetime (Sec. 252.001, Estates Code) [~~(Sec. 71,~~
6 ~~Texas Probate Code)~~] . . . \$5;

7 (2) security deposit on filing, by any person other
8 than the personal representative of an estate, an application,
9 complaint, or opposition in relation to the estate, if required by
10 the clerk (Sec. 53.052, Estates Code) [~~(Sec. 12, Texas Probate~~
11 ~~Code)~~] . . . probable cost of the proceeding;

12 (3) fee on filing an application, complaint, petition,
13 or other paper in a guardianship proceeding, which includes a
14 deposit for payment to an attorney ad litem (Sec. 1052.051, Estates
15 Code) . . . cost of filing and payment of attorney ad litem;

16 (4) security deposit on filing, by any person other
17 than the guardian, attorney ad litem, or guardian ad litem, an
18 application, complaint, or opposition in relation to a guardianship
19 matter, if required by the clerk (Sec. 1053.052, Estates Code)
20 [~~(Sec. 622, Texas Probate Code)~~] . . . probable cost of the
21 guardianship proceeding; ~~and~~

22 (5) nonrefundable fee to cover the cost of
23 administering Subchapter G, Chapter 1104, Estates Code (Sec.
24 1104.303, Estates Code) . . . \$40; and

25 (6) [~~(4)~~] costs for attorney ad litem appointed to
26 pursue the restoration of a ward's capacity or modification of the
27 ward's guardianship (Sec. 1202.102, Estates Code) [~~(Secs. 694C and~~

1 ~~694L, Texas Probate Code)~~] . . . reasonable compensation.

2 SECTION 9.115. (a) Section [101.141](#), Government Code, is
3 amended to read as follows:

4 Sec. 101.141. JUSTICE COURT AND SMALL CLAIMS COURT FEES AND
5 COSTS COLLECTED BY CLERK. (a) A clerk of a justice court shall
6 collect fees and costs under the Civil Practice and Remedies Code as
7 follows:

8 (1) additional court cost in certain civil cases to
9 establish and maintain an alternative dispute resolution system, if
10 authorized by the commissioners court (Sec. [152.005](#), Civil Practice
11 and Remedies Code) . . . not to exceed \$5;

12 (2) court fees and costs, if ordered by the court, for
13 a suit filed by an inmate in which an affidavit or unsworn
14 declaration of inability to pay costs is filed by the inmate (Sec.
15 [14.006](#), Civil Practice and Remedies Code) . . . the lesser of:

16 (A) 20 percent of the preceding six months'
17 deposits to the inmate's trust account administered by the Texas
18 Department of Criminal Justice under Section [501.014](#), Government
19 Code; or

20 (B) the total amount of court fees and costs;

21 (3) monthly payment for remaining court fees and costs
22 after the initial payment for a suit in which an affidavit or
23 unsworn declaration of inability to pay costs is filed by the inmate
24 (Sec. [14.006](#), Civil Practice and Remedies Code) . . . the lesser
25 of:

26 (A) 10 percent of that month's deposit to the
27 inmate's trust account administered by the Texas Department of

1 Criminal Justice under Section 501.014, Government Code; or

2 (B) the total amount of court fees and costs that
3 remain unpaid; and

4 (4) the following costs not otherwise charged to the
5 inmate under Section 14.006, Civil Practice and Remedies Code, if
6 the inmate has previously filed an action dismissed as malicious or
7 frivolous (Sec. 14.007, Civil Practice and Remedies Code):

8 (A) expenses of service of process;

9 (B) postage; and

10 (C) transportation, housing, or medical care
11 incurred in connection with the appearance of the inmate in the
12 court for any proceeding.

13 (b) A clerk of a justice court shall collect fees and costs
14 under other laws as follows:

15 (1) the cost of a special program that a court may
16 order a child to attend after a finding that the child committed an
17 offense, if ordered by the court (Art. 45.057, Code of Criminal
18 Procedure) . . . costs of the program not to exceed \$100;

19 (2) additional filing fees:

20 (A) to fund Dallas County civil court facilities
21 (Sec. 51.705, Government Code) . . . not more than \$15;

22 (B) for filing any civil action or proceeding
23 requiring a filing fee, including an appeal, and on the filing of
24 any counterclaim, cross-action, intervention, interpleader, or
25 third-party action requiring a filing fee, to fund civil legal
26 services for the indigent (Sec. 133.153, Local Government Code)
27 . . . \$6; ~~and~~

1 (C) to fund the improvement of Hays County court
2 facilities, if authorized by the county commissioners court (Sec.
3 51.707, Government Code) . . . not more than \$15; and

4 (D) to fund the construction, renovation, or
5 improvement of Rockwall County court facilities, if authorized by
6 the county commissioners court (Sec. 51.709, Government Code) . . .
7 not more than \$15;

8 (3) for filing a suit in Comal County (Sec. 152.0522,
9 Human Resources Code) . . . \$1.50; ~~and~~

10 (4) fee for hearing on probable cause for removal of a
11 vehicle and placement in a storage facility if assessed by the court
12 (Sec. 2308.457, Occupations Code) . . . \$20; and

13 (5) statewide electronic filing system fund fee (Sec.
14 51.851, Government Code) . . . \$10.

15 (b) Sections 101.1411 and 101.142, Government Code, are
16 repealed.

17 SECTION 9.116. (a) Section 102.0615, Government Code, is
18 amended to read as follows:

19 Sec. 102.0615. ADDITIONAL COURT COSTS ON CONVICTION IN
20 STATUTORY COUNTY COURT: GOVERNMENT CODE. The clerk of a statutory
21 county court shall collect fees and costs under the Government Code
22 as follows:

23 (1) [~~from a defendant~~] a court cost on conviction
24 (Sec. 51.851, Government Code) . . . \$5; and

25 (2) a stenographer fee, if a record or part of a record
26 is made in the 1st Multicounty Court at Law (Sec. 25.2702,
27 Government Code) . . . \$25 [~~of \$5 under Section 51.851, Government~~

1 Code].

2 (b) Section 102.0619, Government Code, is repealed.

3 SECTION 9.117. (a) Section 103.021, Government Code, is
4 amended to read as follows:

5 Sec. 103.021. ADDITIONAL FEES AND COSTS IN CRIMINAL OR
6 CIVIL CASES: CODE OF CRIMINAL PROCEDURE. An accused or
7 defendant, or a party to a civil suit, as applicable, shall pay the
8 following fees and costs under the Code of Criminal Procedure if
9 ordered by the court or otherwise required:

10 (1) a personal bond fee (Art. 17.42, Code of Criminal
11 Procedure) . . . the greater of \$20 or three percent of the amount
12 of the bail fixed for the accused;

13 (2) cost of electronic monitoring as a condition of
14 release on personal bond (Art. 17.43, Code of Criminal Procedure)
15 . . . actual cost;

16 (3) a fee for verification of and monitoring of motor
17 vehicle ignition interlock (Art. 17.441, Code of Criminal
18 Procedure) . . . not to exceed \$10;

19 (3-a) costs associated with operating a global
20 positioning monitoring system as a condition of release on bond
21 (Art. 17.49(b)(2), Code of Criminal Procedure) . . . actual costs,
22 subject to a determination of indigency;

23 (3-b) costs associated with providing a defendant's
24 victim with an electronic receptor device as a condition of the
25 defendant's release on bond (Art. 17.49(b)(3), Code of Criminal
26 Procedure) . . . actual costs, subject to a determination of
27 indigency;

1 (4) repayment of reward paid by a crime stoppers
2 organization on conviction of a felony (Art. 37.073, Code of
3 Criminal Procedure) . . . amount ordered;

4 (5) reimbursement to general revenue fund for payments
5 made to victim of an offense as condition of community supervision
6 (Art. 42.12, Code of Criminal Procedure) . . . not to exceed \$50 for
7 a misdemeanor offense or \$100 for a felony offense;

8 (6) payment to a crime stoppers organization as
9 condition of community supervision (Art. 42.12, Code of Criminal
10 Procedure) . . . not to exceed \$50;

11 (7) children's advocacy center fee (Art. 42.12, Code
12 of Criminal Procedure) . . . not to exceed \$50;

13 (8) family violence center fee (Art. 42.12, Code of
14 Criminal Procedure) . . . \$100;

15 (9) community supervision fee (Art. 42.12, Code of
16 Criminal Procedure) . . . not less than \$25 or more than \$60 per
17 month;

18 (10) additional community supervision fee for certain
19 offenses (Art. 42.12, Code of Criminal Procedure) . . . \$5 per
20 month;

21 (11) for certain financially able sex offenders as a
22 condition of community supervision, the costs of treatment,
23 specialized supervision, or rehabilitation (Art. 42.12, Code of
24 Criminal Procedure) . . . all or part of the reasonable and
25 necessary costs of the treatment, supervision, or rehabilitation as
26 determined by the judge;

27 (12) fee for failure to appear for trial in a justice

1 or municipal court if a jury trial is not waived (Art. 45.026, Code
2 of Criminal Procedure) . . . costs incurred for impaneling the
3 jury;

4 (13) costs of certain testing, assessments, or
5 programs during a deferral period (Art. 45.051, Code of Criminal
6 Procedure) . . . amount ordered;

7 (14) special expense on dismissal of certain
8 misdemeanor complaints (Art. 45.051, Code of Criminal Procedure)
9 . . . not to exceed amount of fine assessed;

10 (15) an additional fee:

11 (A) for a copy of the defendant's driving record
12 to be requested from the Department of Public Safety by the judge
13 (Art. 45.0511(c-1), Code of Criminal Procedure) . . . amount equal
14 to the sum of the fee established by Section 521.048,
15 Transportation Code, and the state electronic Internet portal fee;

16 (B) as an administrative fee for requesting a
17 driving safety course or a course under the motorcycle operator
18 training and safety program for certain traffic offenses to cover
19 the cost of administering the article (Art. 45.0511(f)(1), Code of
20 Criminal Procedure) . . . not to exceed \$10; or

21 (C) for requesting a driving safety course or a
22 course under the motorcycle operator training and safety program
23 before the final disposition of the case (Art. 45.0511(f)(2), Code
24 of Criminal Procedure) . . . not to exceed the maximum amount of the
25 fine for the offense committed by the defendant;

26 (16) a request fee for teen court program (Art.
27 45.052, Code of Criminal Procedure) . . . \$20, if the court

1 ordering the fee is located in the Texas-Louisiana border region,
2 but otherwise not to exceed \$10;

3 (17) a fee to cover costs of required duties of teen
4 court (Art. 45.052, Code of Criminal Procedure) . . . \$20, if the
5 court ordering the fee is located in the Texas-Louisiana border
6 region, but otherwise \$10;

7 (18) a mileage fee for officer performing certain
8 services (Art. 102.001, Code of Criminal Procedure) . . . \$0.15 per
9 mile;

10 (19) certified mailing of notice of hearing date (Art.
11 102.006, Code of Criminal Procedure) . . . \$1, plus postage;

12 (20) certified mailing of certified copies of an order
13 of expunction (Art. 102.006, Code of Criminal Procedure) . . . \$2,
14 plus postage;

15 (20-a) a fee to defray the cost of notifying state
16 agencies of orders of expungement (Art. 45.0216, Code of Criminal
17 Procedure) . . . \$30 per application;

18 (20-b) a fee to defray the cost of notifying state
19 agencies of orders of expunction (Art. 45.055, Code of Criminal
20 Procedure) . . . \$30 per application;

21 (21) sight orders:

22 (A) if the face amount of the check or sight order
23 does not exceed \$10 (Art. 102.007, Code of Criminal Procedure)
24 . . . not to exceed \$10;

25 (B) if the face amount of the check or sight order
26 is greater than \$10 but does not exceed \$100 (Art. 102.007, Code of
27 Criminal Procedure) . . . not to exceed \$15;

1 (C) if the face amount of the check or sight order
2 is greater than \$100 but does not exceed \$300 (Art. 102.007, Code of
3 Criminal Procedure) . . . not to exceed \$30;

4 (D) if the face amount of the check or sight order
5 is greater than \$300 but does not exceed \$500 (Art. 102.007, Code of
6 Criminal Procedure) . . . not to exceed \$50; and

7 (E) if the face amount of the check or sight order
8 is greater than \$500 (Art. 102.007, Code of Criminal Procedure)
9 . . . not to exceed \$75;

10 (22) fees for a pretrial intervention program:

11 (A) a supervision fee (Art. 102.012(a), Code of
12 Criminal Procedure) . . . \$60 a month plus expenses; and

13 (B) a district attorney, criminal district
14 attorney, or county attorney administrative fee (Art. 102.0121,
15 Code of Criminal Procedure) . . . not to exceed \$500;

16 (23) parking fee violations for child safety fund in
17 municipalities with populations:

18 (A) greater than 850,000 (Art. 102.014, Code of
19 Criminal Procedure) . . . not less than \$2 and not to exceed \$5; and

20 (B) less than 850,000 (Art. 102.014, Code of
21 Criminal Procedure) . . . not to exceed \$5;

22 (24) an administrative fee for collection of fines,
23 fees, restitution, or other costs (Art. 102.072, Code of Criminal
24 Procedure) . . . not to exceed \$2 for each transaction; ~~and~~

25 (25) a collection fee, if authorized by the
26 commissioners court of a county or the governing body of a
27 municipality, for certain debts and accounts receivable, including

1 unpaid fines, fees, court costs, forfeited bonds, and restitution
2 ordered paid (Art. 103.0031, Code of Criminal Procedure) . . . 30
3 percent of an amount more than 60 days past due; and

4 (26) a cost on conviction for the truancy prevention
5 and diversion fund (Art. 102.015, Code of Criminal Procedure) . . .
6 \$2.

7 (b) Section 103.034, Government Code, is repealed.

8 SECTION 9.118. (a) Section 103.0213, Government Code, is
9 amended to read as follows:

10 Sec. 103.0213. ADDITIONAL FEES AND COSTS IN CRIMINAL OR
11 CIVIL CASES: TRANSPORTATION CODE. An accused or defendant, or a
12 party to a civil suit, as applicable, shall pay the following fees
13 and costs under the Transportation Code if ordered by the court or
14 otherwise required:

15 (1) administrative fee on dismissal of charge of
16 driving with an expired motor vehicle registration (Sec. 502.407,
17 Transportation Code) . . . not to exceed \$20;

18 (2) administrative fee on dismissal of charge of
19 driving with an expired driver's license (Sec. 521.026,
20 Transportation Code) . . . not to exceed \$20;

21 (2-a) administrative fee on remediation of charge of
22 operation of a vehicle without a registration insignia (Sec.
23 502.473, Transportation Code) . . . not to exceed \$10;

24 (3) administrative fee on remediation of charge of
25 driving with an expired inspection certificate (Sec. 548.605,
26 Transportation Code) . . . not to exceed \$20;

27 (4) administrative fee for failure to appear for a

1 complaint or citation on certain offenses (Sec. 706.006,
2 Transportation Code) . . . \$30 for each violation; and

3 (5) administrative fee for failure to pay or satisfy
4 certain judgments (Sec. 706.006, Transportation Code) . . . \$30.

5 (b) Section 103.0213, Government Code, as amended by
6 Chapter 1291 (H.B. 2305), Acts of the 83rd Legislature, Regular
7 Session, 2013, effective March 1, 2015, is amended to read as
8 follows:

9 Sec. 103.0213. ADDITIONAL FEES AND COSTS IN CRIMINAL OR
10 CIVIL CASES: TRANSPORTATION CODE. An accused or defendant, or a
11 party to a civil suit, as applicable, shall pay the following fees
12 and costs under the Transportation Code if ordered by the court or
13 otherwise required:

14 (1) administrative fee on dismissal of charge of
15 driving with an expired motor vehicle registration (Sec. 502.407,
16 Transportation Code) . . . not to exceed \$20;

17 (2) administrative fee on dismissal of charge of
18 driving with an expired driver's license (Sec. 521.026,
19 Transportation Code) . . . not to exceed \$20;

20 (2-a) administrative fee on remediation of charge of
21 operation of a vehicle without a registration insignia (Sec.
22 502.473, Transportation Code) . . . not to exceed \$10;

23 (3) administrative fee for failure to appear for a
24 complaint or citation on certain offenses (Sec. 706.006,
25 Transportation Code) . . . \$30 for each violation; and

26 (4) administrative fee for failure to pay or satisfy
27 certain judgments (Sec. 706.006, Transportation Code) . . . \$30.

1 SECTION 9.119. (a) Section 103.027(a), Government Code, is
2 amended to read as follows:

3 (a) Fees and costs shall be paid or collected under the
4 Government Code as follows:

5 (1) filing a certified copy of a judicial finding of
6 fact and conclusion of law if charged by the secretary of state
7 (Sec. 51.905, Government Code) . . . \$15;

8 (2) cost paid by each surety posting the bail bond for
9 an offense other than a misdemeanor punishable by fine only under
10 Chapter 17, Code of Criminal Procedure, for the assistant
11 prosecutor supplement fund and the fair defense account (Sec.
12 41.258, Government Code) . . . \$15, provided the cost does not
13 exceed \$30 for all bail bonds posted at that time for an individual
14 and the cost is not required on the posting of a personal or cash
15 bond;

16 (3) to participate in a court proceeding in this
17 state, a nonresident attorney fee (Sec. 82.0361, Government Code)
18 . . . \$250 except as waived or reduced under supreme court rules for
19 representing an indigent person; ~~and~~

20 (4) on a party's appeal of a final decision in a
21 contested case, the cost of preparing the original or a certified
22 copy of the record of the agency proceeding, if required by the
23 agency's rule, as a court cost (Sec. 2001.177, Government Code)
24 . . . as assessed by the court, all or part of the cost of
25 preparation;

26 (5) a program fee for a drug court program (Sec.
27 123.004, Government Code) . . . not to exceed \$1,000;

1 (6) an alcohol or controlled substance testing,
2 counseling, and treatment fee (Sec. 123.004, Government Code) . . .
3 the amount necessary to cover the costs of testing, counseling, and
4 treatment;

5 (7) a reasonable program fee for a veterans court
6 program (Sec. 124.005, Government Code) . . . not to exceed \$1,000;

7 (8) a testing, counseling, and treatment fee for
8 testing, counseling, or treatment performed or provided under a
9 veterans court program (Sec. 124.005, Government Code) . . . the
10 amount necessary to cover the costs of testing, counseling, or
11 treatment; and

12 (9) a nonrefundable program fee for a prostitution
13 prevention program (Sec. 126.006, Government Code) . . . a
14 reasonable amount not to exceed \$1,000, which must include a
15 counseling and services fee in an amount necessary to cover the
16 costs of counseling and services provided by the program, a victim
17 services fee in an amount equal to 10 percent of the total fee, and a
18 law enforcement training fee in an amount equal to five percent of
19 the total fee.

20 (b) The following are repealed:

21 (1) Section 103.0271, Government Code; and

22 (2) Section 103.0292, Government Code, as added by
23 Chapter 1167 (S.B. 484), Acts of the 83rd Legislature, Regular
24 Session, 2013.

25 ARTICLE 10. CHANGES RELATING TO HEALTH AND SAFETY CODE

26 SECTION 10.001. Section 250.001(3), Health and Safety Code,
27 as amended by Chapters 605 (S.B. 944) and 1168 (S.B. 492), Acts of

1 the 83rd Legislature, Regular Session, 2013, is reenacted and
2 amended to read as follows:

3 (3) "Facility" means:

4 (A) a nursing home, custodial care home, or other
5 institution licensed by the Department of Aging and Disability
6 Services under Chapter 242;

7 (B) an assisted living facility licensed by the
8 Department of Aging and Disability Services under Chapter 247;

9 (C) a home and community support services agency
10 licensed under Chapter 142;

11 (D) an adult day care facility licensed by the
12 Department of Aging and Disability Services under Chapter 103,
13 Human Resources Code;

14 (E) a facility for persons with intellectual
15 disabilities [~~mental retardation~~] licensed under Chapter 252;

16 (F) an adult foster care provider that contracts
17 with the Department of Aging and Disability Services;

18 (G) a facility that provides mental health
19 services and that is operated by or contracts with the Department of
20 State Health Services;

21 (H) a local mental health or mental retardation
22 authority designated under Section 533.035;

23 (I) a person exempt from licensing under Section
24 142.003(a)(19);

25 (J) a special care facility licensed by the
26 Department of State Health Services under Chapter 248; [~~or~~]

27 (K) a mental health service unit of a hospital

1 licensed under Chapter 241; or

2 (L) [~~(K)~~] a prescribed pediatric extended care
3 center licensed by the Department of Aging and Disability Services
4 under Chapter 248A.

5 SECTION 10.002. Section 711.052(a), Health and Safety Code,
6 as amended by Chapters 123 (S.B. 661) and 220 (H.B. 52), Acts of the
7 83rd Legislature, Regular Session, 2013, is reenacted and amended
8 to read as follows:

9 (a) A person who is an individual, firm, association,
10 corporation, or municipality, or an officer, agent, or employee of
11 an individual, firm, association, corporation, or municipality,
12 commits an offense if the person:

13 (1) engages in a business for cemetery purposes in
14 this state other than through a corporation organized for that
15 purpose, if a corporation is required by law;

16 (2) fails or refuses to keep records of interment as
17 required by Sections 711.003 and 711.004;

18 (3) sells, offers to sell, or advertises for sale a
19 plot or the exclusive right of sepulture in a plot for purposes of
20 speculation or investment;

21 (4) represents through advertising or printed
22 material that a retail department will be established for the
23 resale of the plots of plot purchasers, that specific improvements
24 will be made in the cemetery, or that specific merchandise or
25 services will be furnished to a plot owner, unless adequate funds or
26 reserves are created by the cemetery organization for the
27 represented purpose;

1 (5) makes more than one interment in a plot in a
2 cemetery operated by a cemetery organization other than as provided
3 by Section 711.0395; [~~or~~]

4 (6) removes remains from a plot in a cemetery operated
5 by a cemetery organization without complying with Section 711.004;

6 (7) [~~(5)~~] offers or receives monetary inducement to
7 solicit business for a cemetery broker;

8 (8) [~~(6)~~] fails or refuses to keep records of sales or
9 resales or to collect and remit fees as required by Section
10 711.0381; or

11 (9) [~~(7)~~] fails or refuses to register as a cemetery
12 broker as required by Subchapter C-1.

13 SECTION 10.003. Section 754.016(c), Health and Safety Code,
14 as amended by Chapters 538 (S.B. 540) and 558 (S.B. 673), Acts of
15 the 83rd Legislature, Regular Session, 2013, is reenacted to read
16 as follows:

17 (c) The executive director shall issue a certificate of
18 compliance to the owner.

19 SECTION 10.004. Section 754.023(k), Health and Safety Code,
20 as amended by Chapter 538 (S.B. 540), Acts of the 83rd Legislature,
21 Regular Session, 2013, is repealed to conform to the repeal of
22 Section 754.023, Health and Safety Code, by Chapter 558 (S.B. 673),
23 Acts of the 83rd Legislature, Regular Session, 2013.

24 SECTION 10.005. Section 773.0571, Health and Safety Code,
25 as amended by Chapters 1089 (H.B. 3556) and 1311 (S.B. 8), Acts of
26 the 83rd Legislature, Regular Session, 2013, is reenacted and
27 amended to read as follows:

1 Sec. 773.0571. REQUIREMENTS FOR PROVIDER LICENSE. The
2 department shall issue to an emergency medical services provider
3 applicant a license that is valid for two years if the department is
4 satisfied that:

5 (1) the applicant has adequate staff to meet the
6 staffing standards prescribed by this chapter and the rules adopted
7 under this chapter;

8 (2) each emergency medical services vehicle is
9 adequately constructed, equipped, maintained, and operated to
10 render basic or advanced life support services safely and
11 efficiently;

12 (3) the applicant offers safe and efficient services
13 for emergency prehospital care and transportation of patients;

14 (4) the applicant:

15 (A) possesses sufficient professional experience
16 and qualifications to provide emergency medical services; and

17 (B) has not been excluded from participation in
18 the state Medicaid program;

19 (5) the applicant holds a letter of approval issued
20 under Section 773.0573 by the governing body of the municipality or
21 the commissioners court of the county in which the applicant is
22 located and is applying to provide emergency medical services, as
23 applicable; ~~and~~

24 (6) the applicant employs a medical director; and

25 (7) ~~(6)~~ the applicant complies with the rules
26 adopted under this chapter.

27 SECTION 10.006. Section 1001.076(a), Health and Safety

1 Code, as amended by Chapter 1217 (S.B. 1536), Acts of the 83rd
2 Legislature, Regular Session, 2013, is repealed to conform to the
3 repeal of Section 1001.076, Health and Safety Code, by Chapter 352
4 (H.B. 2392), Acts of the 83rd Legislature, Regular Session, 2013.

5 ARTICLE 11. CHANGES RELATING TO INSURANCE CODE

6 SECTION 11.001. Section 401.156, Insurance Code, as amended
7 by Chapters 489 (S.B. 1665) and 1286 (H.B. 2163), Acts of the 83rd
8 Legislature, Regular Session, 2013, is reenacted and amended to
9 read as follows:

10 Sec. 401.156. DEPOSIT AND USE OF ASSESSMENT AND FEE. (a)
11 The department shall deposit any assessments or fees collected
12 under this subchapter relating to the examination of insurers and
13 other regulated entities by the financial examinations division or
14 actuarial division, as those terms are defined by Section 401.251,
15 to the credit of an account with the Texas Treasury Safekeeping
16 Trust Company to be used exclusively to pay examination costs, as
17 defined by Section 401.251, to reimburse administrative support
18 costs for the Texas Department of Insurance operating account, and
19 to reimburse premium tax credits for examination costs and
20 examination overhead assessments[, reimbursement of the Texas
21 Department of Insurance operating account for administrative
22 support costs, and reimbursement of premium tax credits for
23 examination costs and examination overhead assessments].

24 (b) [~~(a-1)~~] Money deposited under Subsection (a)
25 accumulates and may be disbursed to the department in a manner
26 consistent with that subsection and Subchapter F.

27 (c) Revenue that is not related to the examination of

1 insurers or other regulated entities by the financial examinations
2 division or actuarial division shall be deposited to the credit of
3 the Texas Department of Insurance operating account.

4 (d) To the extent that another provision of law conflicts
5 with this section or a provision of this section, this section or
6 the provision of this section controls.

7 (e) The department may transfer funds between the account
8 described by Subsection (a) and the Texas Department of Insurance
9 operating account as necessary to ensure that funds are deposited
10 to the correct account and used for the correct purposes. This
11 subsection does not authorize a disbursement or transfer of funds
12 in a manner that is inconsistent with the purposes of Subchapter F
13 and this section.

14 SECTION 11.002. Section [981.215\(a\)](#), Insurance Code, as
15 amended by Chapters 595 (S.B. 951) and 920 (H.B. 1405), Acts of the
16 83rd Legislature, Regular Session, 2013, is reenacted and amended
17 to read as follows:

18 (a) A surplus lines agent shall maintain a complete record
19 of each surplus lines contract obtained by the agent, including any
20 of the following, if applicable:

- 21 (1) a copy of the daily report;
- 22 (2) the amount of the insurance and risks insured
23 against;
- 24 (3) a brief general description of the property
25 insured and the location of that property;
- 26 (4) the gross premium charged;
- 27 (5) the return premium paid;

- 1 (6) the rate of premium charged on the different items
2 of property;
- 3 (7) the contract terms, including the effective date;
- 4 (8) the insured's name and post office address;
- 5 (9) the insurer's name and home office address;
- 6 (10) the amount collected from the insured;
- 7 (11) an agreement under Section 225.006(c); ~~and~~
- 8 (12) [~~(11)~~] evidence establishing that the insured
9 qualified as an exempt commercial purchaser and that the surplus
10 lines agent complied with the requirements of Section 981.004(c) if
11 a diligent effort to obtain insurance in the admitted market was not
12 made pursuant to Section 981.004(a)(1); and
- 13 (13) [~~(12)~~] any other information required by the
14 department.

15 SECTION 11.003. (a) Section 1355.015(a), Insurance Code, as
16 amended by Chapters 1070 (H.B. 3276) and 1359 (S.B. 1484), Acts of
17 the 83rd Legislature, Regular Session, 2013, is reenacted to read
18 as follows:

19 (a) At a minimum, a health benefit plan must provide
20 coverage for screening a child for autism spectrum disorder at the
21 ages of 18 and 24 months.

22 (b) Section 1355.015(a-1), Insurance Code, as added by
23 Chapter 1070 (H.B. 3276), Acts of the 83rd Legislature, Regular
24 Session, 2013, is reenacted to conform to the changes made to
25 Section 1355.015(a), Insurance Code, by Chapter 1359 (S.B. 1484),
26 Acts of the 83rd Legislature, Regular Session, 2013, to read as
27 follows:

1 (a-1) At a minimum, a health benefit plan must provide
2 coverage for treatment of autism spectrum disorder as provided by
3 this section to an enrollee who is diagnosed with autism spectrum
4 disorder from the date of diagnosis, only if the diagnosis was in
5 place prior to the child's 10th birthday.

6 ARTICLE 12. CHANGES RELATING TO LOCAL GOVERNMENT CODE

7 SECTION 12.001. Section 54.012, Local Government Code, as
8 amended by Chapters 135 (S.B. 654) and 1396 (H.B. 1554), Acts of the
9 83rd Legislature, Regular Session, 2013, is reenacted and amended
10 to read as follows:

11 Sec. 54.012. CIVIL ACTION. A municipality may bring a
12 civil action for the enforcement of an ordinance:

13 (1) for the preservation of public safety, relating to
14 the materials or methods used to construct a building or other
15 structure or improvement, including the foundation, structural
16 elements, electrical wiring or apparatus, plumbing and fixtures,
17 entrances, or exits;

18 (2) relating to the preservation of public health or
19 to the fire safety of a building or other structure or improvement,
20 including provisions relating to materials, types of construction
21 or design, interior configuration, illumination, warning devices,
22 sprinklers or other fire suppression devices, availability of water
23 supply for extinguishing fires, or location, design, or width of
24 entrances or exits;

25 (3) for zoning that provides for the use of land or
26 classifies a parcel of land according to the municipality's
27 district classification scheme;

1 (4) establishing criteria for land subdivision or
2 construction of buildings, including provisions relating to street
3 width and design, lot size, building width or elevation, setback
4 requirements, or utility service specifications or requirements;

5 (5) implementing civil penalties under this
6 subchapter for conduct classified by statute as a Class C
7 misdemeanor;

8 (6) relating to dangerously damaged or deteriorated
9 structures or improvements;

10 (7) relating to conditions caused by accumulations of
11 refuse, vegetation, or other matter that creates breeding and
12 living places for insects and rodents;

13 (8) relating to the interior configuration, design,
14 illumination, or visibility of business premises exhibiting for
15 viewing by customers while on the premises live or mechanically or
16 electronically displayed entertainment intended to provide sexual
17 stimulation or sexual gratification;

18 (9) relating to point source effluent limitations or
19 the discharge of a pollutant, other than from a non-point source,
20 into a sewer system, including a sanitary or storm water sewer
21 system, owned or controlled by the municipality; ~~[or]~~

22 (10) relating to floodplain control and
23 administration, including an ordinance regulating the placement of
24 a structure, fill, or other materials in a designated floodplain;

25 (11) ~~[(10)]~~ relating to animal care and control; or

26 (12) ~~[(11)]~~ relating to water conservation measures,
27 including watering restrictions.

1 SECTION 12.002. Section 214.906, Local Government Code, is
2 repealed to conform to the expiration of Title 16, Property Code, on
3 September 1, 2009.

4 SECTION 12.003. The heading to Section 381.004, Local
5 Government Code, is amended to more accurately reflect the
6 substance of that section to read as follows:

7 Sec. 381.004. COMMUNITY AND ECONOMIC DEVELOPMENT PROGRAMS
8 [~~IN CERTAIN COUNTIES~~].

9 ARTICLE 13. CHANGES RELATING TO NATURAL RESOURCES CODE

10 SECTION 13.001. Section 61.011(d), Natural Resources Code,
11 as amended by Chapters 152 (H.B. 2623) and 1086 (H.B. 3459), Acts of
12 the 83rd Legislature, Regular Session, 2013, is reenacted and
13 amended to read as follows:

14 (d) The commissioner shall promulgate rules, consistent
15 with the policies established in this section, on the following
16 matters only:

17 (1) acquisition by local governments or other
18 appropriate entities or public dedication of access ways sufficient
19 to provide adequate public ingress and egress to and from the beach
20 within the area described in Subdivision (6);

21 (2) protection of the public easement from erosion or
22 reduction caused by development or other activities on adjacent
23 land and beach cleanup and maintenance;

24 (3) local government prohibitions of vehicular
25 traffic on public beaches, provision of off-beach parking, the use
26 on a public beach of a golf cart, as defined by Section 502.001,
27 Transportation Code, for the transportation of a person with a

1 physical disability, and other minimum measures needed to mitigate
2 for any adverse effect on public access and dune areas;

3 (4) imposition of beach access, user, or parking fees
4 and reasonable exercises of the police power by local governments
5 with respect to public beaches;

6 (5) contents and certification of beach access and use
7 plans and standards for local government review of construction on
8 land adjacent to and landward of public beaches, including
9 procedures for expedited review of beach access and use plans under
10 Section 61.015;

11 (6) construction on land adjacent to and landward of
12 public beaches and lying in the area either up to the first public
13 road generally parallel to the beach or to any closer public road
14 not parallel to the beach, or to within 1,000 feet of mean high
15 tide, whichever is greater, that affects or may affect public
16 access to and use of public beaches;

17 (7) the temporary suspension under Section 61.0185 of
18 enforcement of the prohibition against encroachments on and
19 interferences with the public beach easement and the ability of a
20 property owner to make repairs to a house while a suspension is in
21 effect;

22 (8) the determination of the line of vegetation or
23 natural line of vegetation;

24 (9) the factors to be considered in determining
25 whether a structure, improvement, obstruction, barrier, or hazard
26 on the public beach:

27 (A) constitutes an imminent hazard to safety,

1 health, or public welfare; or

2 (B) substantially interferes with the free and
3 unrestricted right of the public to enter or leave the public beach
4 or traverse any part of the public beach;

5 (10) the procedures for determining whether a
6 structure is not insurable property for purposes of Section
7 [2210.004](#), Insurance Code, because of the factors listed in
8 Subsection (h) of that section; ~~and~~

9 (11) the closure of beaches for space flight
10 activities; and

11 (12) [~~(11)~~] the temporary suspension under Section
12 61.0171 of the determination of the "line of vegetation" or the
13 "natural line of vegetation."

14 ARTICLE 14. CHANGES RELATING TO OCCUPATIONS CODE

15 SECTION 14.001. The heading to Chapter 55, Occupations
16 Code, as amended by Chapters 66 (S.B. 162) and 348 (H.B. 2254), Acts
17 of the 83rd Legislature, Regular Session, 2013, is reenacted to
18 read as follows:

19 CHAPTER 55. LICENSING OF MILITARY SERVICE MEMBERS, MILITARY
20 VETERANS, AND MILITARY SPOUSES

21 SECTION 14.002. Section [2301.610](#)(d), Occupations Code, as
22 amended by Chapters 1135 (H.B. 2741) and 1379 (H.B. 1692), Acts of
23 the 83rd Legislature, Regular Session, 2013, is reenacted and
24 amended to read as follows:

25 (d) The department shall maintain a toll-free telephone
26 number to provide information to a person who requests information
27 about a condition or defect that was the basis for repurchase or

1 replacement by an order issued under this chapter
2 [~~subchapter~~]. The department shall maintain an effective method
3 of providing information to a person who makes a request.

4 ARTICLE 15. CHANGES RELATING TO SPECIAL DISTRICT LOCAL LAWS CODE

5 SECTION 15.001. (a) Chapter 1, Special District Local Laws
6 Code, is amended by adding Section 1.005 to read as follows:

7 Sec. 1.005. EFFECT OF NONSUBSTANTIVE REVISION ON CERTAIN
8 EMINENT DOMAIN AUTHORITY. The revision by Chapter 112 (S.B. 1026),
9 Acts of the 83rd Legislature, Regular Session, 2013, effective
10 April 1, 2015, of a law regarding eminent domain authority, or any
11 other nonsubstantive revision in this code of a law regarding
12 eminent domain authority, does not affect any expiration of an
13 entity's eminent domain authority that may have occurred under
14 Section 2206.101, Government Code, on September 1, 2013.

15 (b) This section takes effect immediately if this Act
16 receives a vote of two-thirds of all the members elected to each
17 house, as provided by Section 39, Article III, Texas Constitution.
18 If this Act does not receive the vote necessary for immediate
19 effect, this section takes effect September 1, 2015.

20 SECTION 15.002. (a) Section 8446.006, Special District
21 Local Laws Code, as added by Chapter 1250 (S.B. 1910), Acts of the
22 83rd Legislature, Regular Session, 2013, is amended to conform to
23 Section 8446.006, Special District Local Laws Code, as added by
24 Chapter 1309 (H.B. 3954), Acts of the 83rd Legislature, Regular
25 Session, 2013, to read as follows:

26 Sec. 8446.006. INITIAL DISTRICT TERRITORY. (a) The
27 district is initially composed of the territory described by

1 Section 4, Chapter 1250, and Section 5, Chapter 1309, Acts of the
2 83rd Legislature, Regular Session, 2013 [~~of the Act enacting this~~
3 ~~chapter~~].

4 (b) The boundaries and field notes contained in Section 4,
5 Chapter 1250, and Section 5, Chapter 1309, Acts of the 83rd
6 Legislature, Regular Session, 2013, [~~of the Act enacting this~~
7 ~~chapter~~] form a closure. A mistake made in the field notes or in
8 copying the field notes in the legislative process does not affect
9 the district's:

10 (1) organization, existence, or validity;

11 (2) right to issue any type of bond for the purposes
12 for which the district is created or to pay the principal of and
13 interest on a bond;

14 (3) right to impose a tax; or

15 (4) legality or operation.

16 (b) Section 8446.006, Special District Local Laws Code, as
17 added by Chapter 1309 (H.B. 3954), Acts of the 83rd Legislature,
18 Regular Session, 2013, is repealed.

19 SECTION 15.003. (a) Section 8469.006, Special District
20 Local Laws Code, as added by Chapter 1244 (S.B. 1877), Acts of the
21 83rd Legislature, Regular Session, 2013, is amended to conform to
22 Section 8469.006, Special District Local Laws Code, as added by
23 Chapter 1308 (H.B. 3914), Acts of the 83rd Legislature, Regular
24 Session, 2013, to read as follows:

25 Sec. 8469.006. INITIAL DISTRICT TERRITORY. (a) The
26 district is initially composed of the territory described by
27 Section 2, Chapter 1244, and Section 6, Chapter 1308, Acts of the

1 83rd Legislature, Regular Session, 2013 [~~of the Act enacting this~~
2 ~~chapter~~].

3 (b) The boundaries and field notes contained in Section 2,
4 Chapter 1244, and Section 6, Chapter 1308, Acts of the 83rd
5 Legislature, Regular Session, 2013, [~~of the Act enacting this~~
6 ~~chapter~~] form a closure. A mistake made in the field notes or in
7 copying the field notes in the legislative process does not affect
8 the district's:

9 (1) organization, existence, or validity;

10 (2) right to issue any type of bond for the purposes
11 for which the district is created or to pay the principal of and
12 interest on a bond;

13 (3) right to impose a tax; or

14 (4) legality or operation.

15 (b) Section [8469.006](#), Special District Local Laws Code, as
16 added by Chapter 1308 (H.B. 3914), Acts of the 83rd Legislature,
17 Regular Session, 2013, is repealed.

18 SECTION 15.004. (a) Section [8469.106](#)(c), Special District
19 Local Laws Code, as added by Chapter 1244 (S.B. 1877), Acts of the
20 83rd Legislature, Regular Session, 2013, is amended to conform to
21 Section [8469.106](#)(c), Special District Local Laws Code, as added by
22 Chapter 1308 (H.B. 3914), Acts of the 83rd Legislature, Regular
23 Session, 2013, to read as follows:

24 (c) Any new district created by the division of the district
25 may not, at the time the new district is created, contain any land
26 outside the area described by Section 2, Chapter 1244, and Section
27 6, Chapter 1308, Acts of the 83rd Legislature, Regular Session,

1 2013 [~~of the Act creating this chapter~~].

2 (b) Section 8469.106(c), Special District Local Laws Code,
3 as added by Chapter 1308 (H.B. 3914), Acts of the 83rd Legislature,
4 Regular Session, 2013, is repealed.

5 ARTICLE 16. CHANGES RELATING TO TAX CODE

6 SECTION 16.001. Section 25.025(a), Tax Code, as amended by
7 Chapters 996 (H.B. 2267) and 1028 (H.B. 2676), Acts of the 83rd
8 Legislature, Regular Session, 2013, is reenacted and amended to
9 read as follows:

10 (a) This section applies only to:

11 (1) a current or former peace officer as defined by
12 Article 2.12, Code of Criminal Procedure;

13 (2) a county jailer as defined by Section 1701.001,
14 Occupations Code;

15 (3) an employee of the Texas Department of Criminal
16 Justice;

17 (4) a commissioned security officer as defined by
18 Section 1702.002, Occupations Code;

19 (5) a victim of family violence as defined by Section
20 71.004, Family Code, if as a result of the act of family violence
21 against the victim, the actor is convicted of a felony or a Class A
22 misdemeanor;

23 (6) a federal judge, a state judge, or the spouse of a
24 federal judge or state judge;

25 (7) a current or former employee of a district
26 attorney, criminal district attorney, or county or municipal
27 attorney whose jurisdiction includes any criminal law or child

1 protective services matters;

2 (8) an officer or employee of a community supervision
3 and corrections department established under Chapter 76,
4 Government Code, who performs a duty described by Section 76.004(b)
5 of that code;

6 (9) a criminal investigator of the United States as
7 described by Article 2.122(a), Code of Criminal Procedure;

8 (10) a police officer or inspector of the United
9 States Federal Protective Service;

10 (11) a current or former United States attorney or
11 assistant United States attorney and the spouse and child of the
12 attorney;

13 (12) a current or former employee of the office of the
14 attorney general who is or was assigned to a division of that office
15 the duties of which involve law enforcement; ~~and~~

16 (13) a medical examiner or person who performs
17 forensic analysis or testing who is employed by this state or one or
18 more political subdivisions of this state; and

19 (14) [~~(13)~~] a current or former member of the United
20 States armed forces who has served in an area that the president of
21 the United States by executive order designates for purposes of 26
22 U.S.C. Section 112 as an area in which armed forces of the United
23 States are or have engaged in combat.

24 SECTION 16.002. Section 33.49(a), Tax Code, as amended by
25 Chapters 1259 (H.B. 585) and 1290 (H.B. 2302), Acts of the 83rd
26 Legislature, Regular Session, 2013, is reenacted to read as
27 follows:

1 (a) Except as provided by Subsection (b), a taxing unit is
2 not liable in a suit to collect taxes for court costs, including any
3 fees for service of process or electronic filing, an attorney ad
4 litem, arbitration, or mediation, and may not be required to post
5 security for costs.

6 SECTION 16.003. Section [171.052\(a\)](#), Tax Code, as amended by
7 Chapters 569 (S.B. 734) and 1232 (H.B. 500), Acts of the 83rd
8 Legislature, Regular Session, 2013, is reenacted to read as
9 follows:

10 (a) Except as provided by Subsection (c), an insurance
11 organization, title insurance company, or title insurance agent
12 authorized to engage in insurance business in this state that is
13 required to pay an annual tax measured by its gross premium receipts
14 is exempted from the franchise tax. A nonadmitted insurance
15 organization that is required to pay a gross premium receipts tax
16 during a tax year is exempted from the franchise tax for that same
17 tax year. A nonadmitted insurance organization that is subject to
18 an occupation tax or any other tax that is imposed for the privilege
19 of doing business in another state or a foreign jurisdiction,
20 including a tax on gross premium receipts, is exempted from the
21 franchise tax.

22 SECTION 16.004. Section [351.101\(a\)](#), Tax Code, as amended by
23 Chapters 541 (S.B. 551) and 546 (S.B. 585), Acts of the 83rd
24 Legislature, Regular Session, 2013, is reenacted and amended to
25 read as follows:

26 (a) Revenue from the municipal hotel occupancy tax may be
27 used only to promote tourism and the convention and hotel industry,

1 and that use is limited to the following:

2 (1) the acquisition of sites for and the construction,
3 improvement, enlarging, equipping, repairing, operation, and
4 maintenance of convention center facilities or visitor information
5 centers, or both;

6 (2) the furnishing of facilities, personnel, and
7 materials for the registration of convention delegates or
8 registrants;

9 (3) advertising and conducting solicitations and
10 promotional programs to attract tourists and convention delegates
11 or registrants to the municipality or its vicinity;

12 (4) the encouragement, promotion, improvement, and
13 application of the arts, including instrumental and vocal music,
14 dance, drama, folk art, creative writing, architecture, design and
15 allied fields, painting, sculpture, photography, graphic and craft
16 arts, motion pictures, radio, television, tape and sound recording,
17 and other arts related to the presentation, performance, execution,
18 and exhibition of these major art forms;

19 (5) historical restoration and preservation projects
20 or activities or advertising and conducting solicitations and
21 promotional programs to encourage tourists and convention
22 delegates to visit preserved historic sites or museums:

23 (A) at or in the immediate vicinity of convention
24 center facilities or visitor information centers; or

25 (B) located elsewhere in the municipality or its
26 vicinity that would be frequented by tourists and convention
27 delegates;

1 (6) for a municipality located in a county with a
2 population of one million or less, expenses, including promotion
3 expenses, directly related to a sporting event in which the
4 majority of participants are tourists who substantially increase
5 economic activity at hotels and motels within the municipality or
6 its vicinity;

7 (7) subject to Section 351.1076, the promotion of
8 tourism by the enhancement and upgrading of existing sports
9 facilities or fields, including facilities or fields for baseball,
10 softball, soccer, and flag football, if:

11 (A) the municipality owns the facilities or
12 fields;

13 (B) the municipality:

14 (i) has a population of 80,000 or more and
15 is located in a county that has a population of 350,000 or less;

16 (ii) has a population of at least 75,000 but
17 not more than 95,000 and is located in a county that has a
18 population of less than 200,000 but more than 160,000;

19 (iii) has a population of at least 36,000
20 but not more than 39,000 and is located in a county that has a
21 population of 100,000 or less that is not adjacent to a county with
22 a population of more than two million;

23 (iv) has a population of at least 13,000 but
24 less than 39,000 and is located in a county that has a population of
25 at least 200,000;

26 (v) has a population of at least 70,000 but
27 less than 90,000 and no part of which is located in a county with a

1 population greater than 150,000;

2 (vi) is located in a county that:

3 (a) is adjacent to the Texas-Mexico
4 border;

5 (b) has a population of at least
6 500,000; and

7 (c) does not have a municipality with
8 a population greater than 500,000;

9 (vii) has a population of at least 25,000
10 but not more than 26,000 and is located in a county that has a
11 population of 90,000 or less; ~~or~~

12 (viii) has a population of at least 7,500
13 and is located in a county that borders the Pecos River and that has
14 a population of not more than 15,000; or

15 (ix) [~~(viii)~~] is located in a county that
16 has a population of not more than 300,000 and in which a component
17 university of the University of Houston System is located; and

18 (C) the sports facilities and fields have been
19 used, in the preceding calendar year, a combined total of more than
20 10 times for district, state, regional, or national sports
21 tournaments;

22 (8) for a municipality with a population of at least
23 70,000 but less than 90,000, no part of which is located in a county
24 with a population greater than 150,000, the construction,
25 improvement, enlarging, equipping, repairing, operation, and
26 maintenance of a coliseum or multiuse facility;

27 (9) signage directing the public to sights and

1 attractions that are visited frequently by hotel guests in the
2 municipality;

3 (10) the construction of a recreational venue in the
4 immediate vicinity of area hotels, if:

5 (A) the municipality:

6 (i) is a general-law municipality;

7 (ii) has a population of not more than 900;

8 and

9 (iii) does not impose an ad valorem tax;

10 (B) not more than \$100,000 of municipal hotel
11 occupancy tax revenue is used for the construction of the
12 recreational venue;

13 (C) a majority of the hotels in the municipality
14 request the municipality to construct the recreational venue;

15 (D) the recreational venue will be used primarily
16 by hotel guests; and

17 (E) the municipality will pay for maintenance of
18 the recreational venue from the municipality's general fund;

19 (11) the construction, improvement, enlarging,
20 equipping, repairing, operation, and maintenance of a coliseum or
21 multiuse facility, if the municipality:

22 (A) has a population of at least 90,000 but less
23 than 120,000; and

24 (B) is located in two counties, at least one of
25 which contains the headwaters of the San Gabriel River; and

26 (12) for a municipality with a population of more than
27 175,000 but less than 225,000 that is located in two counties, each

1 of which has a population of less than 200,000, the construction,
2 improvement, enlarging, equipping, repairing, operation, and
3 maintenance of a coliseum or multiuse facility and related
4 infrastructure or a venue, as defined by Section 334.001(4), Local
5 Government Code, that is related to the promotion of tourism.

6 ARTICLE 17. CHANGES RELATING TO TRANSPORTATION CODE

7 SECTION 17.001. Section 222.108(d), Transportation Code,
8 as amended by Chapter 1182 (S.B. 971), Acts of the 83rd Legislature,
9 Regular Session, 2013, and repealed by Chapter 114 (S.B. 1110),
10 Acts of the 83rd Legislature, Regular Session, 2013, is reenacted
11 to give effect to the amendment by Chapter 1182 to read as follows:

12 (d) In this section, "transportation project" includes:

13 (1) transportation projects described by Section
14 370.003; and

15 (2) port security, transportation, or facility
16 projects described by Section 55.001(5).

17 SECTION 17.002. Section 222.110(e), Transportation Code,
18 as amended by Chapters 114 (S.B. 1110) and 1134 (H.B. 2300), Acts of
19 the 83rd Legislature, Regular Session, 2013, is reenacted and
20 amended to read as follows:

21 (e) The sales and use taxes to be deposited into the tax
22 increment account under this section may be disbursed from the
23 account only to:

24 (1) pay for projects authorized under Section 222.104
25 or 222.108; and

26 (2) notwithstanding Sections 321.506 and 323.505, Tax
27 Code, satisfy claims of holders of tax increment bonds, notes, or

1 other obligations issued or incurred for projects authorized under
2 Section 222.104, ~~[or]~~ 222.1071, or 222.108.

3 SECTION 17.003. Section 251.018, Transportation Code, as
4 added by Chapter 1134 (H.B. 2300), Acts of the 83rd Legislature,
5 Regular Session, 2013, is repealed as duplicative of Section
6 251.019, Transportation Code, as added by Chapter 1372 (S.B. 1747),
7 Acts of the 83rd Legislature, Regular Session, 2013.

8 SECTION 17.004. Section 460.406(c), Transportation Code,
9 is amended to correct a reference to read as follows:

10 (c) The board of directors may authorize the negotiation of
11 a contract without competitive sealed bids or proposals if:

12 (1) the aggregate amount involved in the contract is
13 \$50,000 or less;

14 (2) the contract is for construction for which not
15 more than one bid or proposal is received;

16 (3) the contract is for services or property for which
17 there is only one source or for which it is otherwise impracticable
18 to obtain competition;

19 (4) the contract is to respond to an emergency for
20 which the public exigency does not permit the delay incident to the
21 competitive process;

22 (5) the contract is for personal or professional
23 services or services for which competitive bidding is precluded by
24 law;

25 (6) the contract, without regard to form and which may
26 include bonds, notes, loan agreements, or other obligations, is for
27 the purpose of borrowing money or is a part of a transaction

1 relating to the borrowing of money, including:

2 (A) a credit support agreement, such as a line or
3 letter of credit or other debt guaranty;

4 (B) a bond, note, debt sale or purchase, trustee,
5 paying agent, remarketing agent, indexing agent, or similar
6 agreement;

7 (C) an agreement with a securities dealer,
8 broker, or underwriter; and

9 (D) any other contract or agreement considered by
10 the board of directors to be appropriate or necessary in support of
11 the authority's financing activities;

12 (7) the contract is for work that is performed and paid
13 for by the day as the work progresses;

14 (8) the contract is for the lease or purchase of an
15 interest in land;

16 (9) the contract is for the purchase of personal
17 property sold:

18 (A) at an auction by a state licensed auctioneer;

19 (B) at a going out of business sale held in
20 compliance with Subchapter F, Chapter 17, Business & Commerce Code;
21 or

22 (C) by a political subdivision of this state, a
23 state agency, or an entity of the federal government;

24 (10) the contract is for services performed by blind
25 or severely disabled persons;

26 (11) the contract is for the purchase of electricity;

27 (12) the contract is one for an authority project and

1 awarded for alternate project delivery using the procedures under
2 Subchapters E, F, G, and I, Chapter 2269 [~~2267~~], Government Code[~~7~~
3 ~~as added by Chapter 1129 (H.B. 628), Acts of the 82nd Legislature,~~
4 ~~Regular Session, 2011~~]; or

5 (13) the contract is for fare enforcement officer
6 services under Section [460.1092](#).

7 SECTION 17.005. Section [502.402](#)(a), Transportation Code,
8 as amended by Chapters 1273 (H.B. 1198) and 1277 (H.B. 1573), Acts
9 of the 83rd Legislature, Regular Session, 2013, is reenacted to
10 read as follows:

11 (a) This section applies only to:

12 (1) a county that:

13 (A) borders the United Mexican States; and

14 (B) has a population of more than 250,000; and

15 (2) a county that has a population of more than 1.5
16 million that is coterminous with a regional mobility authority.

17 SECTION 17.006. Section [521.044](#)(a), Transportation Code,
18 as amended by Chapters 1012 (H.B. 2512) and 1105 (H.B. 3787), Acts
19 of the 83rd Legislature, Regular Session, 2013, is reenacted and
20 amended to read as follows:

21 (a) Information provided on a driver's license application
22 that relates to the applicant's social security number may be used
23 only by the department or disclosed only to:

24 (1) the child support enforcement division of the
25 attorney general's office;

26 (2) another state entity responsible for enforcing the
27 payment of child support;

1 (3) the United States Selective Service System as
2 provided by Section 521.147;

3 (4) the unclaimed property division of the
4 comptroller's office; ~~[or]~~

5 (5) the Health and Human Services Commission; or

6 (6) ~~[(5)]~~ the secretary of state for the purposes of
7 voter registration or the administration of elections.

8 SECTION 17.007. Section 541.201(1), Transportation Code,
9 as amended by Chapters 17 (S.B. 223), 254 (H.B. 567), 275 (H.B.
10 802), and 630 (S.B. 1917), Acts of the 83rd Legislature, Regular
11 Session, 2013, is reenacted and amended to read as follows:

12 (1) "Authorized emergency vehicle" means:

13 (A) a fire department or police vehicle;

14 (B) a public or private ambulance operated by a
15 person who has been issued a license by the Department of State
16 Health Services;

17 (C) an emergency medical services vehicle:

18 (i) authorized under an emergency medical
19 services provider license issued by the Department of State Health
20 Services under Chapter 773, Health and Safety Code; and

21 (ii) operating under a contract with an
22 emergency services district that requires the emergency medical
23 services provider to respond to emergency calls with the vehicle;

24 (D) a municipal department or public service
25 corporation emergency vehicle that has been designated or
26 authorized by the governing body of a municipality;

27 (E) ~~[(D)]~~ a county-owned or county-leased

1 emergency management vehicle that has been designated or authorized
2 by the commissioners court;

3 (F) a vehicle that has been designated by the
4 department under Section 546.0065;

5 (G) [~~(E)~~] a private vehicle of a volunteer
6 firefighter or a certified emergency medical services employee or
7 volunteer when responding to a fire alarm or medical emergency;

8 (H) [~~(F)~~] an industrial emergency response
9 vehicle, including an industrial ambulance, when responding to an
10 emergency, but only if the vehicle is operated in compliance with
11 criteria in effect September 1, 1989, and established by the
12 predecessor of the Texas Industrial Emergency Services Board of the
13 State Firemen's and Fire Marshals' Association of Texas;

14 (I) [~~(G)~~] a vehicle of a blood bank or tissue
15 bank, accredited or approved under the laws of this state or the
16 United States, when making emergency deliveries of blood, drugs,
17 medicines, or organs;

18 (J) [~~(H)~~] a vehicle used for law enforcement
19 purposes that is owned or leased by a federal governmental entity;
20 or

21 (K) [~~(H)~~] a private vehicle of an employee or
22 volunteer of a county emergency management division in a county
23 with a population of more than 46,500 and less than 48,000 that is
24 designated as an authorized emergency vehicle by the commissioners
25 court of that county.

26 SECTION 17.008. Section 681.008(b), Transportation Code,
27 as amended by Chapters 223 (H.B. 120), 309 (H.B. 1514), and 1010

1 (H.B. 2485), Acts of the 83rd Legislature, Regular Session, 2013,
2 is reenacted and amended to read as follows:

3 (b) A vehicle on which license plates described by
4 Subsection (a)(2) or issued under Section 504.202, [~~Section~~
5 504.310, 504.315, [~~or~~] 504.316, or 504.319 are displayed is exempt
6 from the payment of a parking fee collected through a parking meter
7 charged by a governmental authority other than a branch of the
8 federal government, when being operated by or for the
9 transportation of:

10 (1) the person who registered the vehicle under
11 Section 504.202(a), [~~Section~~] 504.310, 504.315, [~~or~~] 504.316, or
12 504.319;

13 (2) a person described in Section 504.202(b) if the
14 vehicle is registered under that subsection; or

15 (3) the owner or operator of a vehicle displaying
16 license plates described by Subsection (a)(2).

17 ARTICLE 18. CHANGES RELATING TO WATER CODE

18 SECTION 18.001. Section 13.1871(s), Water Code, as added by
19 Chapter 171 (S.B. 567), Acts of the 83rd Legislature, Regular
20 Session, 2013, is repealed as duplicative of Section 13.1871(s),
21 Water Code, as added by Chapter 170 (H.B. 1600), Acts of the 83rd
22 Legislature, Regular Session, 2013.

23 ARTICLE 19. CHANGES RELATING TO THE DISPOSITION OF CERTAIN CIVIL
24 STATUTES

25 SECTION 19.001. (a) Subtitle D, Title 13, Occupations Code,
26 is amended to codify Chapter 528 (S.B. 155), Acts of the 76th
27 Legislature, Regular Session, 1999 (Article 178d-1, Vernon's Texas

1 Civil Statutes), by adding Chapter 2158 to read as follows:

2 CHAPTER 2158. SPECIAL EVENT PARKING CHARGE LIMITATION

3 Sec. 2158.001. DEFINITIONS. In this chapter:

4 (1) "Institution of higher education" and "private or
5 independent institution of higher education" have the meanings
6 assigned by Section 61.003, Education Code.

7 (2) "Parking facility," "parking facility owner," and
8 "vehicle" have the meanings assigned by Section 2308.002,
9 Occupations Code.

10 (3) "Special event" includes a sporting event,
11 convention, concert, exhibit, parade, or political rally.

12 Sec. 2158.002. LIMITATION OF PARKING CHARGE IN CONNECTION
13 WITH SPECIAL EVENT. (a) A parking facility owner may not charge
14 for parking a vehicle in the parking facility in connection with a
15 special event an amount that is more than two times the amount
16 computed using the rate that is normally charged for parking a
17 vehicle in the facility on that day of the week and at that time.

18 (b) This section does not apply to an institution of higher
19 education or a private or independent institution of higher
20 education.

21 Sec. 2158.003. CRIMINAL OFFENSE. (a) A person commits an
22 offense if the person violates Section 2158.002(a).

23 (b) An offense under this section is a Class C misdemeanor.

24 (c) It is a defense to prosecution under this section that
25 the parking facility owner posted a conspicuous sign at least two
26 feet wide and two feet high at the entrance to the parking facility
27 stating:

1 (A) is created by general or special law pursuant
2 to Section 59, Article XVI, Texas Constitution;

3 (B) is governed by Chapter 51 to the extent the
4 provisions of that chapter are not inconsistent with the provisions
5 of any special law creating the district; and

6 (C) contains at least 10,000 acres after all
7 exclusions of land have occurred.

8 (4) "Refunding bond" means a refunding bond issued by
9 a district.

10 (5) "Residential neighborhood" means an area that, as
11 it develops, will consist of detached single-family residences on
12 not less than 79 percent of the net residential acreage of the area
13 and will consist of condominiums or multifamily rental units with a
14 density greater than 15 units per net residential acre on not more
15 than 10 percent of the net residential acreage of the area.
16 Notwithstanding the foregoing, "residential neighborhood" means an
17 area that, as it develops, will consist of detached single-family
18 residences on not less than 87-1/2 percent of the net residential
19 acreage of the area if the preliminary engineering report adopted
20 by the board before the authorization of bonds stipulates that
21 approximately 87-1/2 percent of the net residential acreage will
22 consist of single-family residences; provided, however, that on the
23 full utilization of all facilities constructed with the proceeds of
24 the bonds authorized, the definition of "residential neighborhood"
25 stated in the first sentence of this subdivision applies. A
26 variance of as much as three percent from the percentages set forth
27 above is permissible during development if the percentages are met

1 on completion of development.

2 (6) "Subdistrict" means a conservation and
3 reclamation district created pursuant to Section 59, Article XVI,
4 Texas Constitution, and this chapter to provide fresh water supply
5 and distribution, sanitary sewage collection and treatment, and
6 storm sewer and drainage facilities and services to residential
7 neighborhoods.

8 (7) "Subdistrict board" means the board of directors
9 of a subdistrict.

10 Sec. 51A.002. REFUNDING BONDS. (a) A district may issue
11 bonds to refund all or part of its outstanding bonds, notes, or
12 other obligations, including matured but unpaid interest. Except
13 as otherwise provided by this section, Section 51.438 applies to
14 refunding bonds issued under this section.

15 (b) Refunding bonds may be payable from:

16 (1) the same source as the bonds, notes, or other
17 obligations being refunded;

18 (2) the source described by Subdivision (1) and
19 additional sources; or

20 (3) sources other than the source described by
21 Subdivision (1).

22 (c) A district must publish notice of intent to issue
23 refunding bonds at least once a week for two consecutive weeks in a
24 newspaper of general circulation within the district and at least
25 15 days before the date of the meeting of the board at which it is
26 proposed to issue the bonds. Before the issuance of the bonds, if a
27 petition signed by not less than 10 percent of the registered voters

1 of the district is filed with the district calling for a referendum
2 on the refunding bond issue, the board shall, at its next meeting,
3 order an election to be held within the district to determine
4 whether the bonds shall be issued. The election shall be held in
5 the manner prescribed by Chapter 1251, Government Code, for the
6 issuance of municipal bonds.

7 Sec. 51A.003. CREATION OF SUBDISTRICTS. (a) The
8 commission may create subdistricts over designated territory
9 within the boundaries of a district as provided by this section.

10 (b) A petition that contains the substance of the
11 requirements of Sections 51.013 and 51.014 must be filed with the
12 commission.

13 (c) The commission shall have notice of the hearing on the
14 petition given in the manner required by Section 51.018.

15 (d) The hearing must be conducted in the manner provided by
16 Section 51.020, and the commission shall grant or refuse the
17 petition in the manner provided by Section 51.021. An appeal from
18 the decision of the commission must be made in the manner provided
19 by Sections 51.022 through 51.025. The commission shall appoint
20 five directors to serve as the subdistrict board, each of whom must
21 meet the qualifications provided by Section 51.072.

22 (e) Not later than the 60th day after the date on which a
23 petition for the creation of a subdistrict is granted by the
24 commission, the subdistrict board shall adopt an order calling
25 elections within the boundaries of the subdistrict in the manner
26 provided by Subchapter D, Chapter 49, to:

27 (1) confirm the creation of the subdistrict in the

1 manner provided by Section 49.102;

2 (2) authorize the issuance of bonds by the subdistrict
3 or by the district on behalf of the subdistrict to be repaid by ad
4 valorem taxes, revenue, or ad valorem taxes and revenue derived by
5 the subdistrict;

6 (3) authorize a tax within the boundaries of the
7 subdistrict to make payments under a contract with the district to
8 support refunding bonds of the district in accordance with the
9 exclusions procedure provided by Section 51A.005;

10 (4) authorize a maintenance tax within the boundaries
11 of the subdistrict in the manner provided by Section 49.107; and

12 (5) elect a permanent board of directors for the
13 subdistrict in the manner provided by Subchapter D, Chapter 49, and
14 Section 51.075.

15 (f) A subdistrict:

16 (1) may sue and be sued in its own name;

17 (2) until excluded from the boundaries of the district
18 in accordance with Section 51A.005, has concurrent jurisdiction
19 with the district that is in the territory within the boundaries of
20 the subdistrict; and

21 (3) may exercise the rights and powers of the district
22 within the boundaries of the subdistrict.

23 (g) The ad valorem plan of taxation applies to each
24 subdistrict, and a hearing for exclusions of land from a
25 subdistrict is not necessary before an election under Subsection
26 (e) is held.

27 (h) A subdistrict may be dissolved in the same manner as a

1 district.

2 (i) A subdistrict is governed by Chapter 51 and all other
3 general laws of this state to the extent those laws are not
4 inconsistent with this chapter.

5 Sec. 51A.004. SUBDISTRICT BONDS. (a) Before adopting an
6 order calling elections under Section 51A.003(e), the engineer for
7 a subdistrict shall present a report to the subdistrict board that
8 conforms to Section 51.410 with regard to the bonds to be issued by
9 the subdistrict or by the district on behalf of the subdistrict.

10 (b) After the engineer's report is filed and approved, the
11 subdistrict board shall order an election within the boundaries of
12 the subdistrict to authorize the issuance of bonds by the
13 subdistrict or by the district on behalf of the subdistrict in
14 accordance with this chapter and Sections 49.106 and 51.411.

15 (c) Bonds authorized at an election within the subdistrict
16 may only be repaid from ad valorem taxes imposed on all taxable
17 property within the boundaries of the subdistrict or income,
18 increment, and revenue derived from the ownership or operation of
19 any part of the assets of the subdistrict or any combination of
20 those sources. The district is not liable for the repayment of
21 those bonds except as provided by this subsection.

22 (d) A subdistrict may issue refunding bonds as provided by
23 Section 51A.002.

24 (e) Bonds issued by a subdistrict or by the district on
25 behalf of the subdistrict are investment securities under Chapter
26 2257, Government Code, are public securities under Chapter 1201,
27 Government Code, and are subject to the general laws of this state

1 relating to bonds of a water control and improvement district to the
2 extent that those general laws are not inconsistent with this
3 chapter.

4 Sec. 51A.005. EXCLUSION OF TERRITORY WITHIN SUBDISTRICT.

5 (a) A subdistrict board shall call an election within the
6 subdistrict to coincide with the confirmation election under
7 Section 51A.003(e) at which a proposition shall be submitted to the
8 voters to authorize the subdistrict to enter into a contract with
9 the district under which the subdistrict would impose an unlimited
10 ad valorem tax on all taxable property within the subdistrict to
11 repay to the district a portion of the district's total outstanding
12 indebtedness. That portion would be calculated by multiplying the
13 total outstanding indebtedness of the district on the date of the
14 first payment under the proposed contract by a percentage equal to
15 the proportion of the total taxable property within the district
16 borne by the total taxable property within the subdistrict, as of
17 the date of the preceding tax roll.

18 (b) The ballots in the election under Subsection (a) shall
19 be printed to provide for voting for or against the following
20 proposition: "The execution of a contract and the imposition of
21 taxes to pay for the contract." A copy of the proposed contract
22 shall be available at the office of the district for inspection
23 before the election. The election shall otherwise be conducted in
24 conformity with the provisions of Chapter 51 relating to elections
25 to approve a tax-supported contract with the United States.

26 (c) If the proposition is approved at the election under
27 Subsection (a), the board of the district shall, on receipt of a

1 petition that conforms substantially to Section 49.305 and
2 describes the territory within the subdistrict, conduct a hearing
3 not later than the 30th day after the date of receipt of the
4 petition on the exclusion of the subdistrict from the boundaries of
5 the district.

6 (d) If the subdistrict board establishes at the hearing that
7 the subdistrict has been created, has authorized the issuance of
8 bonds by the subdistrict or by the district on behalf of the
9 subdistrict, has authorized the tax-supported contract payment,
10 and has elected a permanent board of directors, the board of the
11 district shall, at the conclusion of the hearing, enter an order
12 approving the contract supported by a tax within the subdistrict
13 and excluding all land within the subdistrict from the boundaries
14 of the district contingent only on the completion of the refunding
15 bond issue.

16 (e) Refunding bonds may be issued by a district to implement
17 the exclusion of land within a subdistrict under any terms that are
18 considered advisable by the board of the district and are only
19 subject to the interest rate limitations imposed by the
20 constitution and laws of this state. If refunding bonds are not
21 issued by a district on or before the 30th day after the date of the
22 hearing at which the subdistrict establishes all items in
23 Subsection (d), all property within the subdistrict is considered
24 excluded from the boundaries of the district on the expiration of
25 the 30th day after the date of the hearing.

26 (f) Any subdistrict located within a service area as defined
27 by a United States Environmental Protection Agency grant used by a

1 district to expand its wastewater treatment plant shall obtain
2 wastewater treatment services to the extent of capacity provided
3 with the United States Environmental Protection Agency grant
4 proceeds from the wastewater treatment plant constructed with the
5 prior proceeds of the United States Environmental Protection Agency
6 grant in accordance with the terms of a contract approved by the
7 governing bodies of the subdistrict and the district.

8 (g) To reduce the cost of services to its residents and
9 taxpayers, the subdistrict shall use the employees, consultants,
10 staff, and services of the district and reimburse the district for
11 all costs of furnishing those services. The services may be
12 terminated for good cause. The subdistrict and the district shall
13 submit to arbitration any dispute between the subdistrict and the
14 district.

15 Sec. 51A.006. WATER AND SEWER RATES. A district shall
16 establish rates for all services to subdistricts after the
17 exclusion of the subdistricts from the boundaries of the district.
18 The rates may not exceed 150 percent of the rates for similar
19 services for residents of the district.

20 Sec. 51A.007. ELECTION DATES. An election authorized by
21 this chapter may be held on any day of the year other than a general
22 election date and is not limited to the uniform election dates
23 established by Section [41.001\(a\)](#), Election Code.

24 Sec. 51A.008. PUBLIC PURPOSE. This chapter facilitates and
25 advances the conservation and reclamation of the natural resources
26 of this state by permitting certain water control and improvement
27 districts to extend fresh water supply and distribution facilities,

1 storm water and flood control facilities, and sanitary sewage
2 collection and treatment facilities into areas that have previously
3 not received such facilities. The reclamation of land for
4 development and use as residential neighborhoods will be
5 implemented and the health, welfare, and safety of residents of
6 those neighborhoods will be additionally protected.

7 Sec. 51A.009. CONSTRUCTION. The powers granted by this
8 chapter to districts shall be broadly interpreted and liberally
9 construed to effect the legislative intent and the purposes of this
10 chapter and not as a limitation of powers.

11 (b) Chapter 702 (S.B. 1358), Acts of the 68th Legislature,
12 Regular Session, 1983 (Article 717r, Vernon's Texas Civil
13 Statutes), is repealed.

14 SECTION 19.005. (a) Chapter 49, Water Code, is amended to
15 codify Chapter 707 (H.B. 993), Acts of the 69th Legislature,
16 Regular Session, 1985 (Article 973c, Vernon's Texas Civil
17 Statutes), by adding Subchapter J-1 to read as follows:

18 SUBCHAPTER J-1. EXCLUSION OF URBAN PROPERTY FROM CERTAIN WATER
19 DISTRICTS

20 Sec. 49.3181. DEFINITIONS. As used in this subchapter:

21 (1) "District" means any district or authority created
22 under Sections 52(b)(1) and (2), Article III, or Section 59,
23 Article XVI, Texas Constitution, the principal purpose of which is,
24 or that is principally engaged in, supplying water for the
25 irrigation of agricultural lands.

26 (2) "Urban property" means land that:

27 (A) has been subdivided into town lots, town lots

1 and blocks, or small parcels of the same general nature as town lots
2 or town lots and blocks and is designed, intended, or suitable for
3 residential or other nonagricultural purposes, as distinguished
4 from farm acreage, and includes streets, alleys, parkways, parks,
5 and railroad property and rights-of-way within that subdivided
6 land; and

7 (B) is in a subdivision:

8 (i) that is within the corporate limits or
9 extraterritorial jurisdiction of a municipality that has
10 subdivision approval jurisdiction under Chapter 212, Local
11 Government Code; and

12 (ii) for which a plat or map has been filed
13 and recorded in the office of the county clerk of the county in
14 which the subdivision or any part of the subdivision is located.

15 Sec. 49.3182. CONDITIONS FOR EXCLUSION OF URBAN PROPERTY.
16 Urban property that is located in a district may be excluded from
17 the district as provided by this subchapter only after the
18 following have been paid to the district:

19 (1) all taxes, assessments, and other charges of the
20 district accrued on the property to be excluded, together with all
21 interest and penalties accrued on those taxes, assessments, and
22 charges;

23 (2) the proportionate part of the outstanding bonded
24 indebtedness or indebtedness in connection with a loan from an
25 agency of the United States for which the property proposed to be
26 excluded is liable, as determined under this subchapter; and

27 (3) agreement on a reasonable determined amount to be

1 paid by the municipality or other supplier of potable water to
2 compensate the district for loss of revenue occasioned by the
3 exclusion.

4 Sec. 49.3183. APPLICATION FOR EXCLUSION. (a) The owner or
5 owners of urban property in a district and subject to taxation by
6 the district, and on which all amounts due the district under
7 Section 49.3182(1) have been paid, may file a written and sworn
8 application with the district to exclude that property from the
9 district.

10 (b) The application must:

11 (1) include a sworn acknowledgment by the owner or
12 owners of the property;

13 (2) describe the property to be excluded by
14 identifying the lot or block number of the subdivision and the name
15 or designation of the subdivision as shown on the recorded plat of
16 the subdivision, or by some other method of identification; and

17 (3) state that the property is used or intended to be
18 used for the purposes for which it was subdivided and is not used or
19 intended to be used, wholly or partly, for agricultural purposes.

20 (c) A copy of the recorded map or plat of the subdivision
21 must accompany the application and must clearly delineate the part
22 of the subdivision, if less than the whole, to be excluded from the
23 district.

24 (d) The applicant must also provide the district with
25 evidence satisfactory to, or required by, the board of the
26 applicant's:

27 (1) ownership of the property proposed to be excluded;

1 and

2 (2) right to have the property excluded from the
3 district.

4 Sec. 49.3184. CONSIDERATION OF APPLICATION. (a) As soon as
5 practicable after an application is filed, the board shall consider
6 the application and inquire into all the facts relating to the
7 application that the board considers necessary for determining
8 whether a public hearing on the application should be held.

9 (b) After consideration and investigation, the board shall
10 adopt an order approving further consideration of the application
11 if the board finds that:

12 (1) all amounts due the district under Section
13 49.3182(1) up to the date of the filing of the application have been
14 paid;

15 (2) the property described in the application:

16 (A) is owned by the applicant;

17 (B) is urban property and is not used or intended
18 to be used for agricultural purposes; and

19 (C) will require a source of treated potable
20 water from the municipality in which the subdivision is located;

21 and

22 (3) the exclusion of the property will not cut off the
23 district or its facilities from ready and convenient access to
24 other land remaining in the district for irrigation or other
25 district purposes.

26 (c) If the board is unable to make any one of the findings
27 under Subsection (b), it shall adopt a resolution rejecting the

1 application.

2 (d) A resolution of the board rejecting an application is
3 final and not subject to review by any other body, tribunal, or
4 authority.

5 Sec. 49.3185. DETERMINATION OF PROPORTIONATE AMOUNT OF
6 INDEBTEDNESS. (a) If the board approves further consideration of
7 an application, the board shall determine the proportionate amount
8 of the bonded or contractual indebtedness for which the property to
9 be excluded is liable as provided by this section.

10 (b) If the district has outstanding bonded indebtedness,
11 the board shall obtain from the chief appraiser a certified copy of
12 the appraised value of all the property to be excluded for the five
13 years preceding the year in which the application is filed, as shown
14 by the tax rolls of the district, and the appraised value of all
15 taxable property in the district according to the most recent tax
16 rolls of the district. The part of the district's total outstanding
17 bonded indebtedness to be paid by the applicant as a condition
18 precedent to the exclusion of the property is that proportion of the
19 indebtedness, including unpaid interest computed to the date of the
20 order, that the appraised value of the property to be excluded bears
21 to the appraised value of all taxable property in the district
22 according to the most recent tax rolls.

23 (c) If the district has contractual or other indebtedness
24 being repaid on the benefit tax basis, the board shall obtain from
25 the appropriate records the manner in which the tax is assessed, and
26 from those records the district shall calculate the part of the
27 total outstanding indebtedness of the district remaining to be paid

1 that is attributable to the property to be excluded.

2 (d) The order of the board approving further consideration
3 of the application must also state the amounts required to be paid
4 under Section 49.3182 as a condition of the exclusion of the
5 property.

6 Sec. 49.3186. DEADLINE FOR PAYMENT OF AMOUNTS DUE. The
7 order of the board approving further consideration of the
8 application has no force or effect and no further proceeding may be
9 held on the application unless the applicant deposits with the
10 district the amounts due under Section 49.3182 not later than:

11 (1) the 20th day after the date on which the order was
12 adopted; or

13 (2) the expiration of a period not to exceed 30 days
14 after the date on which the order was adopted as ordered by the
15 board.

16 Sec. 49.3187. NOTICE AND HEARING. (a) If the deposit is
17 made within the time provided by Section 49.3186, the board shall
18 order a public hearing to be held on the application at the regular
19 office of the district not less than 15 or more than 30 days after
20 the date of the hearing order.

21 (b) The board shall have notice of the hearing posted in a
22 conspicuous place in the office of the district and at the
23 courthouse of the county in which the property proposed to be
24 excluded is situated.

25 Sec. 49.3188. RESOLUTION EXCLUDING URBAN PROPERTY OR
26 REJECTING APPLICATION; EFFECTS OF EXCLUSION. (a) If, as a result of
27 a hearing ordered under Section 49.3187, the board finds that the

1 owners of a majority in acreage of the urban property do not desire
2 irrigation of that property or that the urban property is not used
3 or intended to be used for agricultural purposes, the board shall
4 adopt a resolution setting forth those findings and excluding the
5 urban property or the part of the urban property as to which the
6 findings are made.

7 (b) If any canals, ditches, pipelines, pumps, or other
8 facilities of the district are located on land excluded under the
9 resolution, the exclusion does not affect or interfere with any
10 district rights to maintain and continue operation of the
11 facilities as located to service land remaining in the district.

12 (c) A copy of the resolution excluding urban property from
13 the district certified to and acknowledged by the secretary of the
14 board must be recorded by the district in the deed records of the
15 county in which the excluded property is located as evidence of the
16 exclusion.

17 (d) On the passage of the resolution:

18 (1) the property excluded does not constitute a part
19 of the district; and

20 (2) the owner of the excluded property:

21 (A) has no further liability to the district or
22 for any bonded or other indebtedness of the district; and

23 (B) is not subject to further taxation by the
24 district.

25 (e) If the board determines from the hearing that for any
26 reason the application should not be granted, the board shall adopt
27 a resolution rejecting the application, and the deposit made by the

1 applicant is subject to withdrawal by the applicant or on the
2 board's order.

3 Sec. 49.3189. CONVERSION OF WATER RIGHTS. After a district
4 excludes land from the district's territory under this subchapter,
5 the municipality or other municipal supplier that proposes to serve
6 the land with a potable water supply may petition the district to
7 convert the proportionate water rights previously allocated for the
8 land from irrigation use rights to municipal use rights for the use
9 and benefit of the municipality or other municipal supplier. The
10 district shall compute the proportionate water rights available and
11 shall initiate administrative proceedings to convert the
12 irrigation use rights to municipal use rights. Before the district
13 is obligated to initiate the administrative proceedings, the
14 municipality or other municipal supplier must deposit with the
15 district the amount that the district estimates the district will
16 incur as reasonable expenses and attorney's fees in those
17 proceedings. On approval of the conversion by the commission, the
18 district shall deliver the water to the municipality or other
19 municipal supplier in the manner those entities may agree to under
20 this code.

21 (b) Chapter 707 (H.B. 993), Acts of the 69th Legislature,
22 Regular Session, 1985 (Article 973c, Vernon's Texas Civil
23 Statutes), is repealed.

24 SECTION 19.006. Article 974d-45, Revised Statutes, is
25 repealed as executed.

26 SECTION 19.007. (a) Chapter 199, Transportation Code, is
27 amended to codify Chapter 181 (H.B. 871), Acts of the 69th

1 Legislature, Regular Session, 1985 (Article 1182k, Vernon's Texas
2 Civil Statutes), by adding Section 199.002 to read as follows:

3 Sec. 199.002. RAILROAD FUNCTIONS AS PUBLIC AND GOVERNMENTAL
4 FUNCTIONS. (a) In this section:

5 (1) "Railroad" means an enterprise created and
6 operated to carry passengers, freight, or both on a fixed track.
7 The term includes all real estate and interests in real estate,
8 equipment, machinery, materials, structures, buildings, stations,
9 facilities, and other improvements that are necessary to, or for
10 the benefit of, the enterprise.

11 (2) "Municipality" means a home-rule municipality.

12 (b) The planning, acquisition, establishment, development,
13 construction, enlarging, improvement, maintenance, equipping,
14 operation, regulation, protection, policing, leasing, and
15 alienation of a railroad or railroad facility by a municipality or
16 other public agency, separately or jointly exercised:

17 (1) are declared to be public and governmental
18 functions that are exercised for a public purpose and matters of
19 public necessity; and

20 (2) in the case of a municipality, are declared to be
21 municipal functions and purposes as well as public and
22 governmental.

23 (c) All land and other property and privileges acquired and
24 used by or on behalf of a municipality or other public agency for
25 railroad purposes:

26 (1) are declared to be acquired for public and
27 governmental purposes and as a matter of public necessity; and

1 (2) in the case of a municipality, are declared to be
2 acquired for a municipal purpose.

3 (d) This section does not confer or convey governmental
4 immunity or any other limitation of liability to any entity that is
5 not a governmental entity, governmental authority, or public
6 agency, or a subdivision of a governmental entity, governmental
7 authority, or public agency.

8 (b) Chapter 181 (H.B. 871), Acts of the 69th Legislature,
9 Regular Session, 1985 (Article [1182k](#), Vernon's Texas Civil
10 Statutes), is repealed.

11 SECTION 19.008. Chapter 4 (S.B. 455), page 689, General
12 Laws, Acts of the 46th Legislature, Regular Session, 1939 (Article
13 [2603c1](#), Vernon's Texas Civil Statutes), is repealed as executed.

14 SECTION 19.009. Chapter 404 (H.B. 768), Acts of the 47th
15 Legislature, Regular Session, 1941 (Article [2603c2](#), Vernon's Texas
16 Civil Statutes), is repealed as executed.

17 SECTION 19.010. Section 2, Chapter 3 (S.B. 2), Acts of the
18 62nd Legislature, Regular Session, 1971 (Article [2619b](#), Vernon's
19 Texas Civil Statutes), is repealed as no longer necessary because
20 Pan American University was transferred to The University of Texas
21 System and renamed by Chapter 181 (S.B. 47), Acts of the 71st
22 Legislature, Regular Session, 1989.

23 SECTION 19.011. Chapter 357 (S.B. 319), Acts of the 64th
24 Legislature, Regular Session, 1975 (Article 4413(32e), Vernon's
25 Texas Civil Statutes), is repealed as executed.

26 SECTION 19.012. Chapter 672 (H.B. 1880), Acts of the 65th
27 Legislature, Regular Session, 1977 (Article 4413(42a), Vernon's

1 Texas Civil Statutes), is repealed as executed.

2 SECTION 19.013. Article 2, Chapter 4 (S.B. 3), Acts of the
3 72nd Legislature, 1st Called Session, 1991 (Article 4413(56a),
4 Vernon's Texas Civil Statutes), is repealed as executed.

5 SECTION 19.014. Chapter 685 (H.B. 235), Acts of the 60th
6 Legislature, Regular Session, 1967 (Article 4413d-3, Vernon's
7 Texas Civil Statutes), is repealed because a portion was revised in
8 1975 as Section 12.010, Parks and Wildlife Code, and the remainder
9 is obsolete.

10 SECTION 19.015. (a) Subchapter B, Chapter 531, Government
11 Code, is amended to codify Section 26, Chapter 1027 (H.B. 18), Acts
12 of the 71st Legislature, Regular Session, 1989 (Article 4438g,
13 Vernon's Texas Civil Statutes), by adding Section 531.02193 to read
14 as follows:

15 Sec. 531.02193. CERTAIN CONDITIONS ON MEDICAID
16 REIMBURSEMENT OF RURAL HEALTH CLINICS PROHIBITED. The commission
17 may not impose any condition on the reimbursement of a rural health
18 clinic under the Medicaid program if the condition is more
19 stringent than the conditions imposed by the Rural Health Clinic
20 Services Act of 1977 (Pub. L. No. 95-210) or the laws of this state
21 regulating the practice of medicine, pharmacy, or professional
22 nursing.

23 (b) Section 26, Chapter 1027 (H.B. 18), Acts of the 71st
24 Legislature, Regular Session, 1989 (Article 4438g, Vernon's Texas
25 Civil Statutes), is repealed.

26 SECTION 19.016. Article 5311b, Revised Statutes, is
27 repealed as executed.

1 SECTION 19.017. Chapter 128 (S.B. 108), Acts of the 53rd
2 Legislature, Regular Session, 1953 (Article 5382b-1, Vernon's
3 Texas Civil Statutes), is repealed as executed.

4 SECTION 19.018. Chapter 399 (S.B. 238), Acts of the 57th
5 Legislature, Regular Session, 1961 (Article 5421c-9, Vernon's
6 Texas Civil Statutes), is repealed as executed.

7 SECTION 19.019. The following provisions are repealed as
8 executed:

9 (1) Chapter 37 (H.B. 12), Acts of the 43rd
10 Legislature, 3rd Called Session, 1934 (Article 5421f, Vernon's
11 Texas Civil Statutes); and

12 (2) Section 1, Chapter 191 (H.B. 56), Acts of the 47th
13 Legislature, Regular Session, 1941 (Article 5421f-1, Vernon's
14 Texas Civil Statutes).

15 SECTION 19.020. Chapter 280 (S.B. 374), Acts of the 54th
16 Legislature, Regular Session, 1955 (Article 5421o, Vernon's Texas
17 Civil Statutes), is repealed as executed.

18 SECTION 19.021. (a) Sections 11(b), (c), and (d), Chapter
19 141, Acts of the 66th Legislature, Regular Session, 1979 (Article
20 5920-11, Vernon's Texas Civil Statutes), are repealed as executed.

21 (b) The headings to Sections 6, 11, and 21, Chapter 141,
22 Acts of the 66th Legislature, Regular Session, 1979 (Article
23 5920-11, Vernon's Texas Civil Statutes), are repealed as
24 unnecessary.

25 SECTION 19.022. Chapter 292 (H.B. 685), Acts of the 54th
26 Legislature, Regular Session, 1955 (Article 6070f, Vernon's Texas
27 Civil Statutes), is repealed as executed.

1 SECTION 19.023. Chapter 466 (H.B. 1910), Acts of the 71st
2 Legislature, Regular Session, 1989 (Article 6701j-2, Vernon's
3 Texas Civil Statutes), is repealed because it was revised in 2003 as
4 Section 1001.106, Education Code.

5 SECTION 19.024. (a) Subchapter Z, Chapter 2175, Government
6 Code, is amended to codify Article 9023d, Revised Statutes, by
7 adding Section 2175.907 to read as follows:

8 Sec. 2175.907. DISPOSAL OF COMPUTER EQUIPMENT BY CHARITABLE
9 ORGANIZATION. (a) In this section:

10 (1) "Computer equipment" includes computers,
11 telecommunications devices and systems, automated information
12 systems, and peripheral devices and hardware that are necessary to
13 the efficient installation and operation of that equipment, but
14 does not include computer software.

15 (2) "Charitable organization" has the meaning
16 assigned by Section 84.003, Civil Practice and Remedies Code.

17 (b) Except as provided by Subsections (c) and (d), a
18 charitable organization that expends funds received from the state,
19 whether by appropriation, grant, or otherwise, to purchase computer
20 equipment may not dispose of or discard the equipment before the
21 fourth anniversary of the date the organization purchased the
22 equipment.

23 (c) This section does not prohibit:

24 (1) the sale or trade of computer equipment; or

25 (2) the disposal of equipment that is not operational.

26 (d) A charitable organization may dispose of computer
27 equipment purchased with state funds within the four-year period

1 after the date of purchase by donating the equipment to another
2 charitable organization.

3 (e) This section applies only to computer equipment that a
4 charitable organization purchases for at least \$500.

5 (f) The comptroller shall adopt rules to implement this
6 section.

7 (b) Article 9023d, Revised Statutes, is repealed.

8 ARTICLE 20. CHANGES RELATING TO THE ESTATES CODE AND

9 CODIFICATION OF THE TEXAS PROBATE CODE

10 SECTION 20.001. Section 15.007, Civil Practice and Remedies
11 Code, is amended to read as follows:

12 Sec. 15.007. CONFLICT WITH CERTAIN PROVISIONS.
13 Notwithstanding Sections 15.004, 15.005, and 15.031, to the extent
14 that venue under this chapter for a suit by or against an executor,
15 administrator, or guardian as such, for personal injury, death, or
16 property damage conflicts with venue provisions under the Estates
17 [~~Texas Probate~~] Code, this chapter controls.

18 SECTION 20.002. Section 21.001(b), Estates Code, is amended
19 to read as follows:

20 (b) Consistent with the objectives of the statutory
21 revision program, the purpose of this code [~~, except Subtitle X,~~
22 ~~Title 2, and Subtitles Y and Z, Title 3,~~] is to make the law
23 encompassed by this code [~~, except Subtitle X, Title 2, and~~
24 ~~Subtitles Y and Z, Title 3,~~] more accessible and understandable by:

25 (1) rearranging the statutes into a more logical
26 order;

27 (2) employing a format and numbering system designed

1 to facilitate citation of the law and to accommodate future
2 expansion of the law;

3 (3) eliminating repealed, duplicative,
4 unconstitutional, expired, executed, and other ineffective
5 provisions; and

6 (4) restating the law in modern American English to
7 the greatest extent possible.

8 SECTION 20.003. Section 21.002, Estates Code, is amended to
9 read as follows:

10 Sec. 21.002. CONSTRUCTION. ~~[(a)]~~ Except as provided by
11 ~~[this section,]~~ Section 22.027~~[,]~~ or ~~[Section]~~ 1002.023, Chapter
12 311, Government Code (Code Construction Act), applies to the
13 construction of a provision of this code.

14 ~~[(b) Chapter 311, Government Code (Code Construction Act),~~
15 ~~does not apply to the construction of a provision of Subtitle X,~~
16 ~~Title 2, or Subtitle Y or Z, Title 3.]~~

17 SECTION 20.004. Section 21.003, Estates Code, is amended to
18 read as follows:

19 Sec. 21.003. STATUTORY REFERENCES. ~~[(a)]~~ A reference in a
20 law other than in this code to a statute or a part of a statute
21 revised by~~[, or redesignated as part of,]~~ this code is considered to
22 be a reference to the part of this code that revises that statute or
23 part of that statute ~~[or contains the redesignated statute or part~~
24 ~~of the statute, as applicable].~~

25 ~~[(b) A reference in Subtitle X, Title 2, or Subtitle Y or Z,~~
26 ~~Title 3, to a chapter, a part, a subpart, a section, or any portion~~
27 ~~of a section "of this code" is a reference to the chapter, part,~~

1 ~~subpart, section, or portion of a section as redesignated in the~~
2 ~~Estates Code, except that:~~

3 ~~[(1) a reference in Subtitle X, Title 2, or Subtitle Y~~
4 ~~or Z, Title 3, to Chapter I is a reference to Chapter I, Estates~~
5 ~~Code, and to the revision of sections derived from Chapter I, Texas~~
6 ~~Probate Code, and any reenactments and amendments to those~~
7 ~~sections; and~~

8 ~~[(2) a reference in Subtitle X, Title 2, or Subtitle Y~~
9 ~~or Z, Title 3, to a chapter, part, subpart, section, or portion of a~~
10 ~~section that does not exist in the Estates Code is a reference to~~
11 ~~the revision or redesignation of the corresponding chapter, part,~~
12 ~~subpart, section, or portion of a section of the Texas Probate Code~~
13 ~~and any reenactments or amendments.]~~

14 SECTION 20.005. Section 21.005, Estates Code, is amended to
15 read as follows:

16 Sec. 21.005. APPLICABILITY OF CERTAIN LAWS. ~~[(a)~~
17 ~~Notwithstanding Section 21.002(b) of this code and Section 311.002,~~
18 ~~Government Code:~~

19 ~~[(1) Section 311.032(c), Government Code, applies to~~
20 ~~Subtitle X, Title 2, and Subtitles Y and Z, Title 3; and~~

21 ~~[(2) Sections 311.005(4) and 311.012(b) and (c),~~
22 ~~Government Code, apply to Subtitle X, Title 2, and Subtitles Y and~~
23 ~~Z, Title 3.~~

24 ~~[(b)]~~ Chapter 132, Civil Practice and Remedies Code, does
25 not apply to Subchapter C, Chapter 251.

26 SECTION 20.006. Section 34.001(b), Estates Code, is amended
27 to read as follows:

1 (b) Notwithstanding any other provision of this subtitle,
2 Title 1, [~~Subtitle X, Title 2,~~] Chapter 51, 52, 53, 54, 55, or 151,
3 or Section 351.001, 351.002, 351.053, 351.352, 351.353, 351.354, or
4 351.355, the proper venue for an action by or against a personal
5 representative for personal injury, death, or property damages is
6 determined under Section 15.007, Civil Practice and Remedies Code.

7 SECTION 20.007. Section 1021.001(a), Estates Code, is
8 amended to read as follows:

9 (a) For purposes of this code, in a county in which there is
10 no statutory probate court, a matter related to a guardianship
11 proceeding includes:

- 12 (1) the granting of letters of guardianship;
- 13 (2) the settling of an account of a guardian and all
14 other matters relating to the settlement, partition, or
15 distribution of a ward's estate;
- 16 (3) a claim brought by or against a guardianship
17 estate;
- 18 (4) an action for trial of title to real property that
19 is guardianship estate property, including the enforcement of a
20 lien against the property;
- 21 (5) an action for trial of the right of property that
22 is guardianship estate property;
- 23 (6) after a guardianship of the estate of a ward is
24 required to be settled as provided by Section 1204.001:

25 (A) an action brought by or on behalf of the
26 former ward against a former guardian of the ward for alleged
27 misconduct arising from the performance of the person's duties as

1 guardian;

2 (B) an action calling on the surety of a guardian
3 or former guardian to perform in place of the guardian or former
4 guardian, which may include the award of a judgment against the
5 guardian or former guardian in favor of the surety;

6 (C) an action against a former guardian of the
7 former ward that is brought by a surety that is called on to perform
8 in place of the former guardian;

9 (D) a claim for the payment of compensation,
10 expenses, and court costs, and any other matter authorized under
11 Chapter 1155 [~~and Subpart H, Part 2, Subtitle Z~~]; and

12 (E) a matter related to an authorization made or
13 duty performed by a guardian under Chapter 1204; and

14 (7) the appointment of a trustee for a trust created
15 under Section 1301.053 or 1301.054, the settling of an account of
16 the trustee, and all other matters relating to the trust.

17 SECTION 20.008. Sections 34.306(a), (b), and (c), Finance
18 Code, are amended to read as follows:

19 (a) Subject to Subchapter B, Chapter 111, and Chapters 112
20 and 113, Estates [~~Chapter XI, Probate~~] Code, a bank may accept and
21 administer a deposit account:

22 (1) that is opened with the bank by one or more persons
23 expressly as a trustee for one or more other named persons; and

24 (2) for which further notice of the existence and
25 terms of a trust is not given in writing to the bank.

26 (b) For a deposit account that is opened with a bank by one
27 or more persons expressly as a trustee for one or more other named

1 persons under or purporting to be under a written trust agreement,
2 the trustee may provide the bank with a certificate of trust to
3 evidence the trust relationship. The certificate must be an
4 affidavit of the trustee and must include the effective date of the
5 trust, the name of the trustee, the name of or method for choosing
6 successor trustees, the name and address of each beneficiary, the
7 authority granted to the trustee, the disposition of the account on
8 the death of the trustee or the survivor of two or more trustees,
9 other information required by the bank, and an indemnification of
10 the bank. The bank may accept and administer the account, subject
11 to Subchapter B, Chapter 111, and Chapters 112 and 113, Estates
12 [~~Chapter XI, Probate~~] Code, in accordance with the certificate of
13 trust without requiring a copy of the trust agreement. The bank is
14 not liable for administering the account as provided by the
15 certificate of trust, even if the certificate of trust is contrary
16 to the terms of the trust agreement, unless the bank has actual
17 knowledge of the terms of the trust agreement.

18 (c) On the death of the trustee or of the survivor of two or
19 more trustees, the bank may pay all or part of the withdrawal value
20 of the account with interest as provided by the certificate of
21 trust. If the trustee did not deliver a certificate of trust, the
22 bank's right to treat the account as owned by a trustee ceases on
23 the death of the trustee. On the death of the trustee or of the
24 survivor of two or more trustees, the bank, unless the certificate
25 of trust provides otherwise, shall pay the withdrawal value of the
26 account with interest in equal shares to the persons who survived
27 the trustee, are named as beneficiaries in the certificate of

1 trust, and can be located by the bank from its own records. If there
2 is not a certificate of trust, payment of the withdrawal value and
3 interest shall be made as provided by Subchapter B, Chapter 111, and
4 Chapters 112 and 113, Estates [~~Chapter XI, Probate~~] Code. Any
5 payment made under this section for all or part of the withdrawal
6 value and interest discharges any liability of the bank to the
7 extent of the payment. The bank may pay all or part of the
8 withdrawal value and interest in the manner provided by this
9 section, regardless of whether it has knowledge of a competing
10 claim, unless the bank receives actual knowledge that payment has
11 been restrained by court order.

12 SECTION 20.009. Section 34.307(c), Finance Code, is amended
13 to read as follows:

14 (c) A bank may not exercise its right of set-off under this
15 section against an account unless the account is due the depositor
16 in the same capacity as the defaulted credit obligation. A trust
17 account for which a depositor is trustee, including a trustee under
18 a certificate of trust delivered under Section 34.306(b), is not
19 subject to the right of set-off under this section unless the trust
20 relationship is solely evidenced by the account card as provided by
21 Subchapter B, Chapter 111, and Chapters 112 and 113, Estates
22 [~~Chapter XI, Probate~~] Code.

23 SECTION 20.010. Section 59.105, Finance Code, is amended to
24 read as follows:

25 Sec. 59.105. EFFECT OF SUBCHAPTER ON OTHER LAW. This
26 subchapter does not affect Chapter 151, Estates [~~Sections 36B-36F,~~
27 ~~Texas Probate~~] Code, or another statute of this state governing

1 safe deposit boxes.

2 SECTION 20.011. Section [95.011](#), Finance Code, is amended to
3 read as follows:

4 Sec. 95.011. APPLICABILITY OF ESTATES [~~PROBATE~~] CODE. The
5 applicable provisions of Subchapter B, Chapter 111, and Chapters
6 112 and 113, Estates [~~Chapter XI, Texas Probate~~] Code, govern
7 deposit accounts held in a savings bank.

8 SECTION 20.012. Section [123.207](#), Finance Code, is amended
9 to read as follows:

10 Sec. 123.207. FIDUCIARY POWERS. A credit union may:

11 (1) act, under court order or appointment, as
12 guardian, receiver, trustee, executor, or administrator without
13 giving bond;

14 (2) receive an investment from a person acting as a
15 guardian, receiver, trustee, executor, or administrator under the
16 Estates [~~Texas Probate~~] Code or Subtitle B, Title 9, Property Code;

17 (3) act as depository for money paid to a court or
18 constituting the estate of a deceased person, a minor, or an
19 incompetent;

20 (4) accept, execute, and administer a trust as
21 trustee;

22 (5) accept funds or money for deposit by a fiduciary,
23 trustee, receiver, guardian, executor, or administrator; or

24 (6) act as custodian or trustee of a pension or
25 profit-sharing plan, including an individual retirement account or
26 a pension fund of a self-employed individual or of the sponsor of a
27 credit union.

1 SECTION 20.013. Section 125.001, Finance Code, is amended
2 to read as follows:

3 Sec. 125.001. DEFINITION. In this chapter, "multiple-party
4 account" has the meaning assigned by Section 113.004, Estates [~~436,~~
5 ~~Texas Probate~~] Code, except that the term includes an account in
6 which one or more of the parties is an organization, association,
7 corporation, or partnership.

8 SECTION 20.014. Section 125.308(a), Finance Code, is
9 amended to read as follows:

10 (a) The death of a trustee does not affect the ownership or
11 disposition of a trust account unless:

12 (1) the trust agreement provides otherwise; or

13 (2) there is not a surviving trustee, and:

14 (A) the account is a trust account subject to
15 Subchapter B, Chapter 111, and Chapters 112 and 113, Estates
16 [~~Chapter XI, Texas Probate~~] Code; or

17 (B) written evidence of the terms of the trust
18 does not exist.

19 SECTION 20.015. Section 125.504(a), Finance Code, is
20 amended to read as follows:

21 (a) Except as otherwise provided by this section, Sections
22 125.505 through 125.507, Chapter 151, Estates [~~Sections 36B through~~
23 ~~36F, Texas Probate~~] Code, or other law, a credit union may not
24 relocate a safe deposit box rented for a term of six months or
25 longer if the box rental is not delinquent or may not open the box to
26 relocate its contents to another location, unless:

27 (1) the lessee is present when the box is opened or

1 relocated; or

2 (2) the lessee has given the credit union written
3 authorization to relocate the box or to open the box for purposes of
4 relocation.

5 SECTION 20.016. Section 182.020(b), Finance Code, is
6 amended to read as follows:

7 (b) A foreign corporation or other entity chartered or
8 domiciled in another jurisdiction as a trust company or depository
9 institution with trust powers may act as a trustee in this state
10 only as provided by Subchapter A, Chapter 505, Estates [~~Section~~
11 ~~105A, Texas Probate~~] Code.

12 SECTION 20.017. Section 187.002(b), Finance Code, is
13 amended to read as follows:

14 (b) Notwithstanding Subsection (a), a trust institution
15 that does not maintain a principal office, branch, or trust office
16 in this state may act as a fiduciary in this state to the extent
17 permitted by Subchapter A, Chapter 505, Estates [~~Section 105A,~~
18 ~~Probate~~] Code.

19 SECTION 20.018. Section 187.201(a), Finance Code, is
20 amended to read as follows:

21 (a) An out-of-state trust institution may establish a
22 representative trust office as permitted by this subchapter to:

23 (1) solicit, but not accept, fiduciary appointments;

24 (2) act as a fiduciary in this state to the extent
25 permitted for a foreign corporate fiduciary by Subchapter A,
26 Chapter 505, Estates [~~Section 105A, Probate~~] Code;

27 (3) perform ministerial duties with respect to

1 existing clients and accounts of the trust institution;

2 (4) engage in an activity permitted by Section
3 182.021; and

4 (5) to the extent the office is not acting as a
5 fiduciary:

6 (A) receive for safekeeping personal property of
7 every description;

8 (B) act as assignee, bailee, conservator,
9 custodian, escrow agent, registrar, receiver, or transfer agent;
10 and

11 (C) act as financial advisor, investment advisor
12 or manager, agent, or attorney-in-fact in any agreed capacity.

13 SECTION 20.019. Section 274.113(a), Finance Code, is
14 amended to read as follows:

15 (a) An action under this subchapter for a fiduciary account
16 resulting from a decedent's estate or guardianship must be brought
17 in the county provided for by the Estates [~~Texas Probate~~] Code with
18 respect to the probate of a will, issuance of letters testamentary
19 or of administration, administration of a decedent's estate,
20 appointment of a guardian, and administration of a guardianship.

21 SECTION 20.020. Section 74.098(b), Government Code, is
22 amended to read as follows:

23 (b) The court may appoint an attorney included on the list
24 whose name does not appear first on the list or an attorney not
25 included on the list if the appointment of that attorney as attorney
26 ad litem is:

27 (1) required on a complex matter because the attorney

1 possesses relevant specialized education, training, certification,
2 or skill;

3 (2) made pursuant to the Family Code, Health and
4 Safety Code, Human Resources Code, Texas Trust Code (Subtitle B,
5 Title 9, Property Code), or Estates [~~Texas-Probate~~] Code; or

6 (3) agreed on by the parties and approved by the court.

7 SECTION 20.021. Section 118.056, Local Government Code, as
8 amended by Chapter 66 (H.B. 1136), Acts of the 76th Legislature,
9 Regular Session, 1999, is amended by amending Subsection (d), as
10 added by Chapter 399 (H.B. 819), Acts of the 80th Legislature,
11 Regular Session, 2007, to read as follows:

12 (d) The fee for filing an inventory and appraisalment under
13 Section 118.052(2)(B)(i) applies only if the instrument is filed
14 after the 90th day after the date the personal representative has
15 qualified to serve or, if the court grants an extension under
16 Section 309.051, Estates [~~250, Texas-Probate~~] Code, after the date
17 of the extended deadline specified by the court.

18 SECTION 20.022. Section 118.067(a), Local Government Code,
19 is amended to read as follows:

20 (a) The "supplemental court-initiated guardianship fee"
21 under Section 118.052(2)(E) is for the support of the judiciary in
22 guardianships initiated under Chapter 1102, Estates [~~Section 683,~~
23 ~~Texas-Probate~~] Code. Fees collected under Section 118.052(2)(E)
24 shall be deposited in a court-initiated guardianship fund in the
25 county treasury and may be used only to supplement, rather than
26 supplant, other available county funds used to:

27 (1) pay the compensation of a guardian ad litem

1 appointed by a court under Section 1102.001, Estates [~~683, Texas~~
2 ~~Probate~~] Code;

3 (2) pay the compensation of an attorney ad litem
4 appointed by a court to represent a proposed ward in a guardianship
5 proceeding initiated under Chapter 1102, Estates [~~Section 683,~~
6 ~~Texas Probate~~] Code; and

7 (3) fund local guardianship programs that provide
8 guardians for indigent incapacitated persons who do not have family
9 members suitable and willing to serve as guardians.

10 SECTION 20.023. The following are repealed:

11 (1) Section 21.001(c), Estates Code;

12 (2) the heading to Subchapter E, Chapter 255, Estates
13 Code;

14 (3) Subtitle X, Title 2, Estates Code; and

15 (4) Subtitles Y and Z, Title 3, Estates Code.

16 ARTICLE 21. REDESIGNATIONS

17 SECTION 21.001. The following provisions of enacted codes
18 are redesignated to eliminate duplicate citations or to relocate
19 misplaced provisions:

20 (1) Subdivision (26), Section 1.04, Alcoholic
21 Beverage Code, as added by Chapter 1190 (S.B. 1090), Acts of the
22 83rd Legislature, Regular Session, 2013, is redesignated as
23 Subdivision (28), Section 1.04, Alcoholic Beverage Code.

24 (2) Section 14.05, Alcoholic Beverage Code, as added
25 by Chapter 195 (S.B. 642), Acts of the 83rd Legislature, Regular
26 Session, 2013, is redesignated as Section 14.06, Alcoholic Beverage
27 Code.

1 (3) Section 105.081, Alcoholic Beverage Code, as added
2 by Chapter 535 (S.B. 518), Acts of the 83rd Legislature, Regular
3 Session, 2013, is redesignated as Section 105.082, Alcoholic
4 Beverage Code.

5 (4) Chapter 109, Business & Commerce Code, as added by
6 Chapter 1013 (H.B. 2539), Acts of the 83rd Legislature, Regular
7 Session, 2013, is redesignated as Chapter 110, Business & Commerce
8 Code, and Sections 109.001, 109.002, and 109.003, Business &
9 Commerce Code, as added by that Act, are redesignated as Sections
10 110.001, 110.002, and 110.003, Business & Commerce Code,
11 respectively.

12 (5) Chapter 140, Civil Practice and Remedies Code, as
13 added by Chapter 1066 (H.B. 3241), Acts of the 83rd Legislature,
14 Regular Session, 2013, is redesignated as Chapter 140A, Civil
15 Practice and Remedies Code, and Sections 140.001, 140.002, 140.003,
16 140.004, 140.005, 140.006, 140.007, 140.008, 140.009, 140.010,
17 140.011, 140.012, and 140.013, Civil Practice and Remedies Code, as
18 added by that Act, are redesignated as Sections 140A.001, 140A.002,
19 140A.003, 140A.004, 140A.005, 140A.006, 140A.007, 140A.008,
20 140A.009, 140A.010, 140A.011, 140A.012, and 140A.013, Civil
21 Practice and Remedies Code, respectively.

22 (6) Subsection (a-1), Article 63.009, Code of Criminal
23 Procedure, as added by Chapter 571 (S.B. 742), Acts of the 83rd
24 Legislature, Regular Session, 2013, is redesignated as Subsection
25 (a-3), Article 63.009, Code of Criminal Procedure.

26 (7) Section 7.064, Education Code, as added by Chapter
27 1282 (H.B. 2012), Acts of the 83rd Legislature, Regular Session,

1 2013, is redesignated as Section 7.065, Education Code.

2 (8) Subsection (e), Section 21.044, Education Code, as
3 added by Chapter 1282 (H.B. 2012), Acts of the 83rd Legislature,
4 Regular Session, 2013, is redesignated as Subsection (g), Section
5 21.044, Education Code.

6 (9) Subsection (d), Section 21.054, Education Code, as
7 added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature,
8 Regular Session, 2013, is redesignated as Subsection (g), Section
9 21.054, Education Code.

10 (10) Section 39.038, Education Code, as added by
11 Chapter 1279 (H.B. 1675), Acts of the 83rd Legislature, Regular
12 Session, 2013, is redesignated as Section 39.040, Education Code.

13 (11) Section 39.0545, Education Code, as added by
14 Chapter 167 (S.B. 1538), Acts of the 83rd Legislature, Regular
15 Session, 2013, is redesignated as Section 39.0548, Education Code.

16 (12) Section 39.084, Education Code, as added by
17 Chapter 895 (H.B. 3), Acts of the 81st Legislature, Regular
18 Session, 2009, is transferred to Subchapter A, Chapter 44,
19 Education Code, and redesignated as Section 44.0051, Education
20 Code.

21 (13) Subsection (d), Section 51.406, Education Code,
22 as added by Chapter 1312 (S.B. 59), Acts of the 83rd Legislature,
23 Regular Session, 2013, is redesignated as Subsection (e), Section
24 51.406, Education Code.

25 (14) Section 56.009, Education Code, as added by
26 Chapter 1155 (S.B. 215), Acts of the 83rd Legislature, Regular
27 Session, 2013, is redesignated as Section 56.0091, Education Code.

1 (15) Subchapter II, Chapter 61, Education Code, as
2 added by Chapter 983 (H.B. 2099), Acts of the 83rd Legislature,
3 Regular Session, 2013, is redesignated as Subchapter JJ, Chapter
4 61, Education Code.

5 (16) Subchapter II, Chapter 61, Education Code, as
6 added by Chapter 1229 (S.B. 1720), Acts of the 83rd Legislature,
7 Regular Session, 2013, is redesignated as Subchapter KK, Chapter
8 61, Education Code.

9 (17) Section [54.04011](#), Family Code, as added by
10 Chapter 186 (S.B. 92), Acts of the 83rd Legislature, Regular
11 Session, 2013, is redesignated as Section 54.04012, Family Code.

12 (18) Subsection (g), Section [264.121](#), Family Code, as
13 added by Chapter 342 (H.B. 2111), Acts of the 83rd Legislature,
14 Regular Session, 2013, is redesignated as Subsection (h), Section
15 [264.121](#), Family Code.

16 (19) Section [264.124](#), Family Code, as added by Chapter
17 444 (S.B. 769), Acts of the 83rd Legislature, Regular Session,
18 2013, is redesignated as Section 264.125, Family Code.

19 (20) Section [72.031](#), Government Code, as added by
20 Chapter 1249 (S.B. 1908), Acts of the 83rd Legislature, Regular
21 Session, 2013, is redesignated as Section 72.032, Government Code.

22 (21) Subtitle K, Title 2, Government Code, as added by
23 Chapter 42 (S.B. 966), Acts of the 83rd Legislature, Regular
24 Session, 2013, is redesignated as Subtitle L, Title 2, Government
25 Code.

26 (22) Subsection (e), Section [411.185](#), Government
27 Code, as added by Chapter 665 (H.B. 1349), Acts of the 83rd

1 Legislature, Regular Session, 2013, is redesignated as Subsection
2 (g), Section 411.185, Government Code.

3 (23) Section 442.028, Government Code, as added by
4 Chapter 376 (H.B. 3211), Acts of the 83rd Legislature, Regular
5 Session, 2013, is redesignated as Section 442.029, Government Code.

6 (24) Section 501.023, Government Code, as added by
7 Chapter 261 (H.B. 634), Acts of the 83rd Legislature, Regular
8 Session, 2013, is redesignated as Section 501.024, Government Code.

9 (25) Subsection (e), Section 508.281, Government
10 Code, as added by Chapter 1154 (S.B. 213), Acts of the 83rd
11 Legislature, Regular Session, 2013, is redesignated as Subsection
12 (f), Section 508.281, Government Code.

13 (26) Subsection (l), Section 531.102, Government
14 Code, as added by Chapter 1311 (S.B. 8), Acts of the 83rd
15 Legislature, Regular Session, 2013, is redesignated as Subsection
16 (o), Section 531.102, Government Code.

17 (27) Subdivision (7), Section 551.001, Government
18 Code, as added by Chapter 685 (H.B. 2414), Acts of the 83rd
19 Legislature, Regular Session, 2013, is redesignated as Subdivision
20 (8), Section 551.001, Government Code.

21 (28) Section 662.056, Government Code, as added by
22 Chapter 51 (H.B. 419), Acts of the 83rd Legislature, Regular
23 Session, 2013, is redesignated as Section 662.057, Government Code.

24 (29) Section 791.035, Government Code, as added by
25 Chapter 1211 (S.B. 1411), Acts of the 83rd Legislature, Regular
26 Session, 2013, is redesignated as Section 791.036, Government Code.

27 (30) Subchapter O, Chapter 2054, Government Code, as

1 added by Chapter 32 (S.B. 1102), Acts of the 83rd Legislature,
2 Regular Session, 2013, is redesignated as Subchapter N-1, Chapter
3 2054, Government Code, and Sections 2054.551, 2054.552, 2054.553,
4 and 2054.554, Government Code, as added by that Act, are
5 redesignated as Sections 2054.511, 2054.512, 2054.513, and
6 2054.514, Government Code, respectively.

7 (31) Section 2267.005, Government Code, as added by
8 Chapters 713 (H.B. 3436) and 1339 (S.B. 894), Acts of the 83rd
9 Legislature, Regular Session, 2013, is redesignated as Section
10 2267.007, Government Code.

11 (32) Chapter 169A, Health and Safety Code, is
12 transferred to Subtitle K, Title 2, Government Code, as added by
13 Chapter 747 (S.B. 462), Acts of the 83rd Legislature, Regular
14 Session, 2013, and redesignated as Chapter 126, Government Code,
15 and Sections 169A.001, 169A.002, 169A.0025, 169A.003, 169A.004,
16 169A.005, 169A.0055, and 169A.006, Health and Safety Code, are
17 redesignated as Sections 126.001, 126.002, 126.003, 126.004,
18 126.005, 126.006, 126.007, and 126.008, Government Code,
19 respectively.

20 (33) Subchapter H, Chapter 241, Health and Safety
21 Code, as added by Chapter 917 (H.B. 1376), Acts of the 83rd
22 Legislature, Regular Session, 2013, is redesignated as Subchapter
23 I, Chapter 241, Health and Safety Code, and Sections 241.181,
24 241.182, 241.183, and 241.184, Health and Safety Code, as added by
25 that Act, are redesignated as Sections 241.201, 241.202, 241.203,
26 and 241.204, Health and Safety Code, respectively.

27 (34) Subsection (g), Section 573.001, Health and

1 Safety Code, as added by Chapter 776 (S.B. 1189), Acts of the 83rd
2 Legislature, Regular Session, 2013, is redesignated as Subsection
3 (h), Section 573.001, Health and Safety Code.

4 (35) Section 1001.078, Health and Safety Code, as
5 added by Chapters 1147 (S.B. 126) and 1143 (S.B. 58), Acts of the
6 83rd Legislature, Regular Session, 2013, is redesignated as Section
7 1001.084, Health and Safety Code.

8 (36) Subchapter H, Chapter 1001, Health and Safety
9 Code, as added by Chapter 352 (H.B. 2392), Acts of the 83rd
10 Legislature, Regular Session, 2013, is redesignated as Subchapter
11 I, Chapter 1001, Health and Safety Code, and Sections 1001.201,
12 1001.202, 1001.203, and 1001.204, Health and Safety Code, as added
13 by that Act, are redesignated as Sections 1001.221, 1001.222,
14 1001.223, and 1001.224, Health and Safety Code, respectively.

15 (37) Section 152.0016, Human Resources Code, as added
16 by Chapter 186 (S.B. 92), Acts of the 83rd Legislature, Regular
17 Session, 2013, is redesignated as Section 152.0017, Human Resources
18 Code.

19 (38) Subsection (f), Section 1355.015, Insurance
20 Code, as added by Chapter 1359 (S.B. 1484), Acts of the 83rd
21 Legislature, Regular Session, 2013, is redesignated as Subsection
22 (g), Section 1355.015, Insurance Code.

23 (39) Subchapter F, Chapter 1369, Insurance Code, as
24 added by Chapter 1328 (S.B. 644), Acts of the 83rd Legislature,
25 Regular Session, 2013, is redesignated as Subchapter G, Chapter
26 1369, Insurance Code, and Sections 1369.251, 1369.252, 1369.253,
27 1369.254, 1369.255, and 1369.256, Insurance Code, as added by that

1 Act, are redesignated as Sections 1369.301, 1369.302, 1369.303,
2 1369.304, 1369.305, and 1369.306, Insurance Code, respectively.

3 (40) Subsection (a-1), Section 204.022, Labor Code, as
4 added by Chapter 888 (H.B. 916), Acts of the 83rd Legislature,
5 Regular Session, 2013, is redesignated as Subsection (a-2), Section
6 204.022, Labor Code.

7 (41) Section 379C.014, Local Government Code, as added
8 by Chapter 1085 (H.B. 3447), Acts of the 83rd Legislature, Regular
9 Session, 2013, is redesignated as Section 379C.015, Local
10 Government Code.

11 (42) Chapter 385, Local Government Code, as added by
12 Chapter 1204 (H.B. 3647), Acts of the 77th Legislature, Regular
13 Session, 2001, is transferred to Subtitle C, Title 4, Special
14 District Local Laws Code, and redesignated as Chapter 3875, Special
15 District Local Laws Code, and Sections 385.001, 385.002, 385.003,
16 385.004, 385.005, 385.006, 385.031, 385.032, 385.033, 385.034,
17 385.035, 385.036, 385.037, 385.038, 385.039, 385.040, 385.071,
18 385.072, 385.073, 385.074, 385.075, 385.076, 385.077, 385.078,
19 385.079, 385.080, 385.111, 385.112, 385.113, 385.114, 385.115,
20 385.131, 385.132, and 385.133, Local Government Code, as added by
21 that Act, are redesignated as Sections 3875.001, 3875.002,
22 3875.003, 3875.004, 3875.005, 3875.006, 3875.031, 3875.032,
23 3875.033, 3875.034, 3875.035, 3875.036, 3875.037, 3875.038,
24 3875.039, 3875.040, 3875.071, 3875.072, 3875.073, 3875.074,
25 3875.075, 3875.076, 3875.077, 3875.078, 3875.079, 3875.080,
26 3875.111, 3875.112, 3875.113, 3875.114, 3875.115, 3875.131,
27 3875.132, and 3875.133, Special District Local Laws Code,

1 respectively.

2 (43) Section 501.163, Local Government Code, as added
3 by Chapter 1295 (H.B. 2473), Acts of the 83rd Legislature, Regular
4 Session, 2013, is redesignated as Section 501.164, Local Government
5 Code.

6 (44) Section 55.005, Occupations Code, as added by
7 Chapter 348 (H.B. 2254), Acts of the 83rd Legislature, Regular
8 Session, 2013, is redesignated as Section 55.008, Occupations Code.

9 (45) Section 11.132, Tax Code, as added by Chapter 138
10 (S.B. 163), Acts of the 83rd Legislature, Regular Session, 2013, is
11 redesignated as Section 11.133, Tax Code.

12 (46) Subsection (b), Section 33.04, Tax Code, as added
13 by Chapter 935 (H.B. 1597), Acts of the 83rd Legislature, Regular
14 Session, 2013, is redesignated as Subsection (b-1), Section 33.04,
15 Tax Code.

16 (47) Sections 171.651 and 171.652, Tax Code, as added
17 by Chapter 1109 (H.B. 469), Acts of the 81st Legislature, Regular
18 Session, 2009, and transferred, redesignated, and amended by
19 Chapter 1003 (H.B. 2446), Acts of the 83rd Legislature, Regular
20 Session, 2013, are redesignated as Sections 171.601 and 171.602,
21 Tax Code, respectively.

22 (48) Section 313.010, Tax Code, as added by Chapter
23 1274 (H.B. 1223), Acts of the 83rd Legislature, Regular Session,
24 2013, is redesignated as Section 313.009, Tax Code.

25 (49) Section 225.091, Transportation Code, as added by
26 Chapter 14 (S.B. 139), Acts of the 83rd Legislature, Regular
27 Session, 2013, is redesignated as Section 225.093, Transportation

1 Code.

2 (50) Section 225.091, Transportation Code, as added by
3 Chapter 725 (H.B. 3946), Acts of the 83rd Legislature, Regular
4 Session, 2013, is redesignated as Section 225.094, Transportation
5 Code.

6 (51) Section 225.091, Transportation Code, as added by
7 Chapter 177 (H.B. 1238), Acts of the 83rd Legislature, Regular
8 Session, 2013, is redesignated as Section 225.096, Transportation
9 Code.

10 (52) Section 225.091, Transportation Code, as added by
11 Chapter 281 (H.B. 938), Acts of the 83rd Legislature, Regular
12 Session, 2013, is redesignated as Section 225.097, Transportation
13 Code.

14 (53) Section 225.091, Transportation Code, as added by
15 Chapter 248 (H.B. 442), Acts of the 83rd Legislature, Regular
16 Session, 2013, is redesignated as Section 225.098, Transportation
17 Code.

18 (54) Section 225.091, Transportation Code, as added by
19 Chapter 233 (H.B. 250), Acts of the 83rd Legislature, Regular
20 Session, 2013, is redesignated as Section 225.099, Transportation
21 Code.

22 (55) Section 225.092, Transportation Code, as added by
23 Chapter 1110 (H.B. 3831), Acts of the 83rd Legislature, Regular
24 Session, 2013, is redesignated as Section 225.100, Transportation
25 Code.

26 (56) Section 225.092, Transportation Code, as added by
27 Chapter 999 (H.B. 2356), Acts of the 83rd Legislature, Regular

1 Session, 2013, is redesignated as Section 225.101, Transportation
2 Code.

3 (57) Section 504.663, Transportation Code, as added by
4 Chapter 1102 (H.B. 3677), Acts of the 83rd Legislature, Regular
5 Session, 2013, is redesignated as Section 504.664, Transportation
6 Code.

7 (58) Section 504.946, Transportation Code, as added by
8 Chapter 809 (S.B. 1757), Acts of the 83rd Legislature, Regular
9 Session, 2013, is redesignated as Section 504.9465, Transportation
10 Code.

11 (59) Section 521.008, Transportation Code, as added by
12 Chapter 1233 (S.B. 1729), Acts of the 83rd Legislature, Regular
13 Session, 2013, is redesignated as Section 521.009, Transportation
14 Code.

15 (60) Section 521.008, Transportation Code, as added by
16 Chapter 868 (H.B. 633), Acts of the 83rd Legislature, Regular
17 Session, 2013, is redesignated as Section 521.010, Transportation
18 Code.

19 (61) Subsection (l), Section 521.126, Transportation
20 Code, as added by Chapter 67 (S.B. 166), Acts of the 83rd
21 Legislature, Regular Session, 2013, is redesignated as Subsection
22 (m), Section 521.126, Transportation Code.

23 (62) Subchapter Q, Chapter 623, Transportation Code,
24 as added by Chapter 635 (H.B. 474), Acts of the 83rd Legislature,
25 Regular Session, 2013, is redesignated as Subchapter S, Chapter
26 623, Transportation Code, and Sections 623.320, 623.321, 623.322,
27 623.323, 623.324, 623.325, 623.326, 623.327, and 623.328,

1 Transportation Code, as added by that Act, are redesignated as
2 Sections 623.361, 623.362, 623.363, 623.364, 623.365, 623.366,
3 623.367, 623.368, and 623.369, Transportation Code, respectively.

4 (63) Subsection (m), Section 49.351, Water Code, as
5 added by Chapter 991 (H.B. 2152), Acts of the 83rd Legislature,
6 Regular Session, 2013, is redesignated as Subsection (n), Section
7 49.351, Water Code.

8 SECTION 21.002. The following changes are made to conform
9 the provisions amended to the redesignating changes made by Section
10 21.001 of this Act and to correct cross-references:

11 (1) Subdivision (5), Section 140A.001, Civil Practice
12 and Remedies Code, as redesignated from Subdivision (5), Section
13 140.001, Civil Practice and Remedies Code, by Section 21.001 of
14 this Act, is amended to read as follows:

15 (5) "Racketeering" means an act described by Section
16 140A.002 [~~140.002~~].

17 (2) Subsection (a), Section 140A.010, Civil Practice
18 and Remedies Code, as redesignated from Subsection (a), Section
19 140.010, Civil Practice and Remedies Code, by Section 21.001 of
20 this Act, is amended to read as follows:

21 (a) A district attorney, criminal district attorney, or
22 county attorney with felony criminal jurisdiction that receives
23 notice under Section 140A.009 [~~140.009~~] may notify the attorney
24 general of a related pending criminal investigation or prosecution.

25 (3) Section 140A.011, Civil Practice and Remedies
26 Code, as redesignated from Section 140.011, Civil Practice and
27 Remedies Code, by Section 21.001 of this Act, is amended to read as

1 follows:

2 Sec. 140A.011 [~~140.011~~]. ABATEMENT OF SUIT. If the
3 district attorney, criminal district attorney, or county attorney
4 with felony criminal jurisdiction determines that a suit brought
5 under this chapter would interfere with an ongoing criminal
6 investigation or prosecution after notifying the attorney general
7 of the investigation or prosecution under Section 140A.010
8 [~~140.010~~], the district attorney, criminal district attorney, or
9 county attorney with felony criminal jurisdiction may request, in
10 writing, that the attorney general abate the suit. On receipt of
11 this request, the attorney general shall abate the suit.

12 (4) Subsection (b), Section 61.5391, Education Code,
13 is amended to read as follows:

14 (b) Money in the account may not be appropriated for any
15 purpose except:

16 (1) to provide loan repayment assistance to eligible
17 physicians under this subchapter; or

18 (2) to provide loan repayment assistance under
19 Subchapter JJ [~~II~~] if reallocated under Section 61.9826.

20 (5) Subsection (b), Section 54.0326, Family Code, is
21 amended to read as follows:

22 (b) A juvenile court may defer adjudication proceedings
23 under Section 54.03 until the child's 18th birthday and require a
24 child to participate in a program established under Section
25 152.0017 [~~152.0016~~], Human Resources Code, if the child:

26 (1) is alleged to have engaged in delinquent conduct
27 or conduct indicating a need for supervision and may be a victim of

1 conduct that constitutes an offense under Section 20A.02, Penal
2 Code; and

3 (2) presents to the court an oral or written request to
4 participate in the program.

5 (6) Subsection (b), Section 54.04012, Family Code, as
6 redesignated from Subsection (b), Section 54.04011, Family Code, by
7 Section 21.001 of this Act, is amended to read as follows:

8 (b) A juvenile court may require a child adjudicated to have
9 engaged in delinquent conduct or conduct indicating a need for
10 supervision and who is believed to be a victim of conduct that
11 constitutes an offense under Section 20A.02, Penal Code, to
12 participate in a program established under Section 152.0017
13 [~~152.0016~~], Human Resources Code.

14 (7) Subsection (c-7), Section 58.003, Family Code, is
15 amended to read as follows:

16 (c-7) Notwithstanding Subsections (a) and (c) and subject
17 to Subsection (b), a juvenile court may order the sealing of records
18 concerning a child found to have engaged in delinquent conduct or
19 conduct indicating a need for supervision or taken into custody to
20 determine whether the child engaged in delinquent conduct or
21 conduct indicating a need for supervision if the child successfully
22 completed a trafficked persons program under Section 152.0017
23 [~~152.0016~~], Human Resources Code. The court may:

24 (1) order the sealing of the records immediately and
25 without a hearing; or

26 (2) hold a hearing to determine whether to seal the
27 records.

1 (8) Subsection (c), Section 126.005, Government Code,
2 as redesignated from Subsection (c), Section 169A.004, Health and
3 Safety Code, by Section 21.001 of this Act, is amended to read as
4 follows:

5 (c) A legislative committee may require a county that does
6 not establish a prostitution prevention program under this chapter
7 due to a lack of sufficient funding, as provided by Section
8 126.007(c) [~~169A.0055(c)~~], to provide the committee with any
9 documentation in the county's possession that concerns federal or
10 state funding received by the county.

11 (9) Subsection (d-1), Section 403.302, Government
12 Code, is amended to read as follows:

13 (d-1) For purposes of Subsection (d), a residence homestead
14 that receives an exemption under Section 11.131 or 11.133 [~~11.132~~],
15 Tax Code, in the year that is the subject of the study is not
16 considered to be taxable property.

17 (10) Subsections (b) and (c), Section 411.1408,
18 Government Code, are amended to read as follows:

19 (b) The commission is entitled to obtain from the department
20 criminal history record information maintained by the department
21 that relates to a person who is an applicant for or the holder of a
22 certificate, registration, or license issued by the commission or
23 otherwise under Subtitle L [~~K~~], Title 2.

24 (c) Criminal history record information obtained by the
25 commission under Subsection (b):

26 (1) may be used by the commission for any purpose
27 related to the issuance, denial, suspension, revocation, or renewal

1 of a certificate, registration, or license issued by the commission
2 or otherwise under Subtitle L [~~Ⓚ~~], Title 2;

3 (2) may not be released or disclosed to any person
4 except:

5 (A) on court order;

6 (B) with the consent of the person who is the
7 subject of the information; or

8 (C) as authorized by Section 411.1386(a-6) of
9 this code or Section 1104.404, Estates [~~698(a-6), Texas Probate~~]
10 Code, if applicable; and

11 (3) shall be destroyed by the commission after the
12 information is used for the authorized purposes.

13 (11) Subsection (a), Section 434.017, Government
14 Code, is amended to read as follows:

15 (a) The fund for veterans' assistance is a special fund in
16 the state treasury outside the general revenue fund. The fund is
17 composed of:

18 (1) money transferred to the fund at the direction of
19 the legislature;

20 (2) gifts and grants contributed to the fund;

21 (3) the earnings of the fund;

22 (4) money transferred to the fund from proceeds of the
23 lottery game operated under Section 466.027 or transferred to the
24 fund under Section 466.408(b);

25 (5) money deposited to the credit of the fund under
26 Section 502.1746, Transportation Code; and

27 (6) money deposited to the credit of the fund under

1 Section 521.010 [~~521.008~~], Transportation Code.

2 (12) Section 241.202, Health and Safety Code, as
3 redesignated from Section 241.182, Health and Safety Code, by
4 Section 21.001 of this Act, is amended to read as follows:

5 Sec. 241.202 [~~241.182~~]. ADVERTISING. A facility described
6 by Section 241.201 [~~241.181~~] may not advertise or hold itself out as
7 a medical office, facility, or provider other than an emergency
8 room if the facility charges for its services the usual and
9 customary rate charged for the same service by a hospital emergency
10 room in the same region of the state or located in a region of the
11 state with comparable rates for emergency health care services.

12 (13) Section 241.203, Health and Safety Code, as
13 redesignated from Section 241.183, Health and Safety Code, by
14 Section 21.001 of this Act, is amended to read as follows:

15 Sec. 241.203 [~~241.183~~]. POSTED NOTICE. Subject to Section
16 241.006, the department shall adopt rules for a notice to be posted
17 in a conspicuous place in the facility described by Section 241.201
18 [~~241.181~~] that notifies prospective patients that the facility is
19 an emergency room and charges rates comparable to a hospital
20 emergency room.

21 (14) Section 1369.303, Insurance Code, as
22 redesignated from Section 1369.253, Insurance Code, by Section
23 21.001 of this Act, is amended to read as follows:

24 Sec. 1369.303 [~~1369.253~~]. EXCEPTION. This subchapter does
25 not apply to:

26 (1) a health benefit plan that provides coverage:

27 (A) only for a specified disease or for another

1 single benefit;

2 (B) only for accidental death or dismemberment;

3 (C) for wages or payments in lieu of wages for a
4 period during which an employee is absent from work because of
5 sickness or injury;

6 (D) as a supplement to a liability insurance
7 policy;

8 (E) for credit insurance;

9 (F) only for dental or vision care;

10 (G) only for hospital expenses; or

11 (H) only for indemnity for hospital confinement;

12 (2) a Medicare supplemental policy as defined by
13 Section 1882(g)(1), Social Security Act (42 U.S.C. Section 1395ss);

14 (3) medical payment insurance coverage provided under
15 a motor vehicle insurance policy;

16 (4) a long-term care insurance policy, including a
17 nursing home fixed indemnity policy, unless the commissioner
18 determines that the policy provides benefit coverage so
19 comprehensive that the policy is a health benefit plan as described
20 by Section 1369.302 [~~1369.252~~];

21 (5) health and accident coverage provided by a risk
22 pool created under Chapter 172, Local Government Code; or

23 (6) a workers' compensation insurance policy.

24 (15) Subsection (c), Section 1369.304, Insurance
25 Code, as redesignated from Subsection (c), Section 1369.254,
26 Insurance Code, by Section 21.001 of this Act, is amended to read as
27 follows:

1 (c) In prescribing a form under this section, the
2 commissioner shall:

3 (1) develop the form with input from the advisory
4 committee on uniform prior authorization forms established under
5 Section 1369.305 [~~1369.255~~]; and

6 (2) take into consideration:

7 (A) any form for requesting prior authorization
8 of benefits that is widely used in this state or any form currently
9 used by the department;

10 (B) request forms for prior authorization of
11 benefits established by the federal Centers for Medicare and
12 Medicaid Services; and

13 (C) national standards, or draft standards,
14 pertaining to electronic prior authorization of benefits.

15 (16) Subsections (a) and (c), Section 1369.305,
16 Insurance Code, as redesignated from Subsections (a) and (c),
17 Section 1369.255, Insurance Code, by Section 21.001 of this Act,
18 are amended to read as follows:

19 (a) The commissioner shall appoint a committee to advise the
20 commissioner on the technical, operational, and practical aspects
21 of developing the single, standard prior authorization form
22 required under Section 1369.304 [~~1369.254~~] for requesting prior
23 authorization of prescription drug benefits.

24 (c) The commissioner shall consult the advisory committee
25 with respect to any rule relating to a subject described by Section
26 1369.304 [~~1369.254~~] or this section before adopting the rule and
27 may consult the committee as needed with respect to a subsequent

1 amendment of an adopted rule.

2 (17) Subsections (a) and (b), Section 120.003, Natural
3 Resources Code, are amended to read as follows:

4 (a) An entity that applies to the commission under Section
5 120.002 for a certification that a project operated by the entity
6 meets the requirements for a clean energy project is responsible
7 for conducting a monitoring, measuring, and verification process
8 that demonstrates that the project complies with the requirements
9 of Section 171.602(b)(4) [~~171.652(b)(4)~~], Tax Code.

10 (b) The entity shall contract with the bureau for the bureau
11 to:

12 (1) design initial protocols and standards for the
13 process described by Subsection (a);

14 (2) review the conduct of the process described by
15 Subsection (a) in order to make any necessary changes in the design
16 of the protocols and standards;

17 (3) evaluate the results of the process described by
18 Subsection (a);

19 (4) provide an evaluation of the results of the
20 process described by Subsection (a) to the commission; and

21 (5) determine whether to transmit to the comptroller
22 the verification described by Section 171.602(b)(4), Tax
23 [~~490.352(b)(4), Government~~] Code.

24 (18) Subsection (a), Section 3875.031, Special
25 District Local Laws Code, as redesignated from Subsection (a),
26 Section 385.031, Local Government Code, by Section 21.001 of this
27 Act, is amended to read as follows:

1 (a) The district has all of the powers and duties provided
2 by the general law of this state, including:

3 (1) Subchapter E, Chapter 375, Local Government Code;

4 (2) the general laws of this state on conservation and
5 reclamation districts created under Section 59, Article XVI, Texas
6 Constitution, including Chapters 49 and 54, Water Code; and

7 (3) the general laws of this state on road districts
8 and road utility districts created under Section 52(b)(3), Article
9 III, Texas Constitution, including Chapter 441, Transportation
10 Code.

11 (19) Section 3875.033, Special District Local Laws
12 Code, as redesignated from Section 385.033, Local Government Code,
13 by Section 21.001 of this Act, is amended to read as follows:

14 Sec. 3875.033 [~~385.033~~]. POWERS RELATED GENERALLY TO
15 FINANCIAL AND TERRITORIAL MATTERS. The district may:

16 (1) impose, assess, and apply the proceeds from a
17 limited sales and use tax as authorized by Section 3875.111
18 [~~385.111~~] for authorized purposes;

19 (2) borrow money for district purposes;

20 (3) add or exclude territory in the manner provided by
21 Subchapter J, Chapter 49, Water Code, as limited by Section 54.016,
22 Water Code, except that:

23 (A) for purposes of this subdivision, a reference
24 in Subchapter J, Chapter 49, Water Code, or Section 54.016, Water
25 Code, to a tax means an ad valorem tax; and

26 (B) Section 54.016, Water Code, and Section
27 42.042, Local Government Code, do not apply to the district's

1 annexation of land restricted primarily to commercial or business
2 use;

3 (4) enter into a contract with any person for the
4 accomplishment of any district purpose, including a contract for:

5 (A) the payment, repayment, or reimbursement of
6 any costs incurred by that person for or on behalf of the district,
7 including all or part of the costs of any improvement project and
8 interest on the reimbursed cost; or

9 (B) the use, occupancy, lease, rental,
10 operation, maintenance, or management of all or part of a proposed
11 or existing improvement project;

12 (5) apply for and contract with any person to receive,
13 administer, and perform any duty or obligation of the district
14 under any federal, state, local, or private gift, grant, loan,
15 conveyance, transfer, bequest, donation, or other financial
16 assistance arrangement relating to the investigation, planning,
17 analysis, study, design, acquisition, construction, improvement,
18 completion, implementation, or operation by the district or others
19 of a proposed or existing improvement project;

20 (6) establish, revise, repeal, enforce, collect, and
21 apply the proceeds from user fees or charges for the enjoyment,
22 sale, rental, or other use of the district's facilities, services,
23 properties, or improvement projects;

24 (7) provide or secure the payment or repayment of the
25 costs and expenses of the establishment, administration, and
26 operation of the district and the district's costs or share of the
27 costs of any improvement project or district contractual obligation

1 or indebtedness by or through a lease, installment purchase
2 contract, or other agreement with any person, or the levy and
3 assessment of taxes, user fees, concessions, rentals, or other
4 revenues or resources of the district;

5 (8) undertake separately or jointly with other persons
6 all or part of the cost of an improvement project, including an
7 improvement project:

8 (A) for improving, enhancing, and supporting
9 public safety and security, fire protection and emergency medical
10 services, and law enforcement within and adjacent to the district;
11 or

12 (B) that confers a general benefit on the entire
13 district or a special benefit on a definable part of the district;
14 and

15 (9) impose, collect, and apply the proceeds from a
16 hotel occupancy tax as provided by Sections 3875.112 [~~385.112~~] and
17 3875.113 [~~385.113~~].

18 (20) Section 3875.036, Special District Local Laws
19 Code, as redesignated from Section ~~385.036~~, Local Government Code,
20 by Section 21.001 of this Act, is amended to read as follows:

21 Sec. 3875.036 [~~385.036~~]. ECONOMIC DEVELOPMENT. The
22 district may exercise the economic development powers and authority
23 that Chapter 380, Local Government Code, provides to a municipality
24 with a population of more than 100,000, and Chapter 1509,
25 Government Code, provides to a municipality.

26 (21) Section 3875.071, Special District Local Laws
27 Code, as redesignated from Section ~~385.071~~, Local Government Code,

1 by Section 21.001 of this Act, is amended to read as follows:

2 Sec. 3875.071 [~~385.071~~]. BOARD OF DIRECTORS. Except as
3 provided by this subchapter, the district is governed by a board of
4 five directors elected by the voters of the district at large.
5 Except as provided by Sections 3875.073(b) [~~385.073(b)~~] and
6 3875.074 [~~385.074~~], directors serve staggered terms of four years
7 and until their successors have been elected and have qualified.

8 (22) Subsection (c), Section 3875.112, Special
9 District Local Laws Code, as redesignated from Subsection (c),
10 Section 385.112, Local Government Code, by Section 21.001 of this
11 Act, is amended to read as follows:

12 (c) Subchapter A, Chapter 352, Tax Code, governs a hotel
13 occupancy tax authorized under this section, including the
14 collection of the tax, except as inconsistent with this section and
15 Section 3875.113 [~~385.113~~], subject to the limitations prescribed
16 by Sections 352.002(b) and (c), Tax Code.

17 (23) Subsections (a) and (b), Section 3875.113,
18 Special District Local Laws Code, as redesignated from Subsections
19 (a) and (b), Section 385.113, Local Government Code, by Section
20 21.001 of this Act, are amended to read as follows:

21 (a) The district shall apply the proceeds from a hotel
22 occupancy tax imposed under Section 3875.112 [~~385.112~~] for any of
23 the district's purposes and for the purposes described by Section
24 352.1015, Tax Code, to the extent considered appropriate by the
25 board.

26 (b) During each interval of three calendar years following
27 the date on which a hotel occupancy tax imposed under Section

1 3875.112 [~~385.112~~] is initially collected, the board may not apply
2 an annual average of more than 10 percent of the amount of tax
3 collected under that section, excluding any interest earnings or
4 investment profits and after a deduction for the costs of imposing
5 and collecting the taxes, for the administrative expenses of the
6 district or a district purpose other than:

7 (1) the costs of advertising and promoting tourism; or

8 (2) the costs of business development and commerce,
9 including the costs of planning, designing, constructing,
10 acquiring, leasing, financing, owning, operating, maintaining,
11 managing, improving, repairing, rehabilitating, or reconstructing
12 improvement projects for conferences, conventions, and
13 exhibitions, manufacturer, consumer, or trade shows, and civic,
14 community, or institutional events.

15 (24) Subsections (a) and (c), Section 3875.114,
16 Special District Local Laws Code, as redesignated from Subsections
17 (a) and (c), Section 385.114, Local Government Code, by Section
18 21.001 of this Act, are amended to read as follows:

19 (a) The district may issue bonds in the manner provided by
20 Subchapter J, Chapter 375, Local Government Code. Sections 375.207
21 and 375.208, Local Government Code, do not apply to bonds issued
22 under this section.

23 (c) In addition to the sources of money described by
24 Subchapter J, Chapter 375, Local Government Code, the bonds of the
25 district may be secured and made payable, wholly or partly, by a
26 pledge of any part of the net proceeds the district receives from
27 the sales and use tax authorized by Section 3875.111 [~~385.111~~] and

1 the hotel occupancy tax authorized by Section 3875.112 [~~385.112~~].

2 (25) Subsection (c), Section 11.42, Tax Code, is
3 amended to read as follows:

4 (c) An exemption authorized by Section 11.13(c) or (d), ~~[or]~~
5 11.132, or 11.133 is effective as of January 1 of the tax year in
6 which the person qualifies for the exemption and applies to the
7 entire tax year.

8 (26) Subsection (c), Section 11.43, Tax Code, is
9 amended to read as follows:

10 (c) An exemption provided by Section 11.13, 11.131, 11.132,
11 11.133, 11.17, 11.18, 11.182, 11.1827, 11.183, 11.19, 11.20, 11.21,
12 11.22, 11.23(h), (j), or (j-1), 11.231, 11.254, 11.271, 11.29,
13 11.30, 11.31, or 11.315, once allowed, need not be claimed in
14 subsequent years, and except as otherwise provided by Subsection
15 (e), the exemption applies to the property until it changes
16 ownership or the person's qualification for the exemption changes.
17 However, the chief appraiser may require a person allowed one of the
18 exemptions in a prior year to file a new application to confirm the
19 person's current qualification for the exemption by delivering a
20 written notice that a new application is required, accompanied by
21 an appropriate application form, to the person previously allowed
22 the exemption.

23 (27) Subsection (a), Section 11.431, Tax Code, is
24 amended to read as follows:

25 (a) The chief appraiser shall accept and approve or deny an
26 application for a residence homestead exemption, including an
27 exemption under Section 11.131 or 11.132 for the residence

1 homestead of a disabled veteran or the surviving spouse of a
2 disabled veteran or an exemption under Section 11.133 [~~11.132~~] for
3 the residence homestead of the surviving spouse of a member of the
4 armed services of the United States who is killed in action, after
5 the deadline for filing it has passed if it is filed not later than
6 one year after the delinquency date for the taxes on the homestead.

7 (28) Subsection (b), Section 26.10, Tax Code, is
8 amended to read as follows:

9 (b) If the appraisal roll shows that a residence homestead
10 exemption under Section 11.13(c) or (d), ~~[or]~~ 11.132, or 11.133
11 applicable to a property on January 1 of a year terminated during
12 the year and if the owner of the property qualifies a different
13 property for one of those residence homestead exemptions during the
14 same year, the tax due against the former residence homestead is
15 calculated by:

16 (1) subtracting:

17 (A) the amount of the taxes that otherwise would
18 be imposed on the former residence homestead for the entire year had
19 the owner qualified for the residence homestead exemption for the
20 entire year; from

21 (B) the amount of the taxes that otherwise would
22 be imposed on the former residence homestead for the entire year had
23 the owner not qualified for the residence homestead exemption
24 during the year;

25 (2) multiplying the remainder determined under
26 Subdivision (1) by a fraction, the denominator of which is 365 and
27 the numerator of which is the number of days that elapsed after the

1 date the exemption terminated; and

2 (3) adding the product determined under Subdivision
3 (2) and the amount described by Subdivision (1)(A).

4 (29) Section 26.112, Tax Code, is amended to read as
5 follows:

6 Sec. 26.112. CALCULATION OF TAXES ON RESIDENCE HOMESTEAD OF
7 CERTAIN PERSONS. (a) Except as provided by Section 26.10(b), if at
8 any time during a tax year property is owned by an individual who
9 qualifies for an exemption under Section 11.13(c) or (d) or 11.133
10 [~~11.132~~], the amount of the tax due on the property for the tax year
11 is calculated as if the individual qualified for the exemption on
12 January 1 and continued to qualify for the exemption for the
13 remainder of the tax year.

14 (b) If an individual qualifies for an exemption under
15 Section 11.13(c) or (d) or 11.133 [~~11.132~~] with respect to the
16 property after the amount of the tax due on the property is
17 calculated and the effect of the qualification is to reduce the
18 amount of the tax due on the property, the assessor for each taxing
19 unit shall recalculate the amount of the tax due on the property and
20 correct the tax roll. If the tax bill has been mailed and the tax on
21 the property has not been paid, the assessor shall mail a corrected
22 tax bill to the person in whose name the property is listed on the
23 tax roll or to the person's authorized agent. If the tax on the
24 property has been paid, the tax collector for the taxing unit shall
25 refund to the person who paid the tax the amount by which the
26 payment exceeded the tax due.

27 (30) Subsection (b), Section 251.151, Transportation

1 Code, is amended to read as follows:

2 (b) The commissioners court of a county may by order apply
3 the county's traffic regulations to a public road in the county that
4 is owned, operated, and maintained by a special district and
5 located wholly or partly in the county if the commissioners court
6 and the board of the district have entered into an interlocal
7 contract under Section 791.036 [~~791.035~~], Government Code.

8 (31) Section 521.428, Transportation Code, is amended
9 to read as follows:

10 Sec. 521.428. COUNTY FEE. A county that provides services
11 under an agreement described by Section 521.009 [~~521.008~~] may
12 collect an additional fee of up to \$5 for each transaction provided
13 that relates to driver's license and personal identification
14 certificate services only.

15 (32) Section 623.362, Transportation Code, as
16 redesignated from Section 623.321, Transportation Code, by Section
17 21.001 of this Act, is amended to read as follows:

18 Sec. 623.362 [~~623.321~~]. DEFINITION. In this subchapter,
19 "authority" means the regional mobility authority authorized to
20 issue permits under Section 623.363 [~~623.322~~].

21 (33) Subsection (b), Section 623.364, Transportation
22 Code, as redesignated from Subsection (b), Section 623.323,
23 Transportation Code, by Section 21.001 of this Act, is amended to
24 read as follows:

25 (b) Fees collected under Subsection (a) shall be used only
26 for the construction and maintenance of the roads described by or
27 designated under Section 623.363 [~~623.322~~] and for the authority's

1 administrative costs, which may not exceed 15 percent of the fees
2 collected. The authority shall make payments to the Texas
3 Department of Transportation to provide funds for the maintenance
4 of roads and highways subject to this subchapter.

5 (34) Subsection (a), Section 623.365, Transportation
6 Code, as redesignated from Subsection (a), Section [623.324](#),
7 Transportation Code, by Section 21.001 of this Act, is amended to
8 read as follows:

9 (a) A permit issued under this subchapter must include:

10 (1) the name of the applicant;

11 (2) the date of issuance;

12 (3) the signature of the designated agent for the
13 authority;

14 (4) a statement of the kind of cargo being
15 transported, the maximum weight and dimensions of the equipment,
16 and the kind and weight of each commodity to be transported;

17 (5) a statement:

18 (A) that the gross weight of the vehicle for
19 which a permit is issued may not exceed 125,000 pounds; and

20 (B) of any other condition on which the permit is
21 issued;

22 (6) a statement that the cargo may be transported in
23 Hidalgo County only over the roads described by or designated under
24 Section [623.363](#) [~~[623.322](#)~~]; and

25 (7) the location where the cargo was loaded.

26 ARTICLE 22. EFFECTIVE DATE

27 SECTION 22.001. Except as otherwise provided by this Act,

S.B. No. 1296

1 this Act takes effect September 1, 2015.