

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. (a) In this section, "task force" means the Task Force to Study Population **Growth in Texas** established under this section.

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

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

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

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

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

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

SENATE VERSION (IE)

SECTION 57. (a) In this section, "task force" means the Task Force to Study Population **Change and Its Effects on Texas Counties** established under this section. [FA2(1)]

(b) The Task Force to Study Population **Change and Its Effects on Texas Counties** is established for the purposes of assessing the effects of population growth on counties in this state relating to: [FA2(2)]

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

(c) The task force is composed of the following **11** members: [FA2(3)]

- (1) three state or local officials appointed by the governor;
- (2) three state or local officials appointed by the lieutenant governor; [FA2(4)]
- (3) three state or local officials appointed by the speaker of the house of representatives; **and** [FA2(5)]
- (4) **one member of the senate appointed by the lieutenant governor and one member of the house of representatives appointed by the speaker of the house of representatives who shall serve as co-chairs.** [FA2(6)]

(d) **The governor may designate two members of the task force as vice chairs.** [FA2(7)]

[Deleted by FA2(8)]

CONFERENCE

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

- (f) The task force shall hold public hearings to achieve the purposes described by Subsection (b) of this section.
- (g) A member of the task force is not entitled to receive compensation for service on the task force but is entitled to reimbursement of the travel expenses incurred by the member while conducting the business of the task force.
- (h) The task force may accept gifts and grants from any source to be used to carry out a function of the task force.
- (i) Not later than November 1, 2016, the task force shall submit a final report to the governor, the lieutenant governor, the speaker of the house of representatives, and the appropriate standing committees of the legislature. The report shall include a summary and analysis of:
  - (1) hearings and studies conducted by the task force;
  - (2) legislation proposed by the task force; and
  - (3) other findings and recommendations made by the task force.
- (j) Not later than December 1, 2015, the governor, the lieutenant governor, and the speaker of the house of representatives shall make the appointments to the task force as described under Subsection (c) of this section.
- (k) The task force is abolished and this section expires August 31, 2017.

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

SENATE VERSION (IE)

- (f) The task force shall hold public hearings to achieve the purposes described by Subsection (b) of this section.
- (g) A member of the task force is not entitled to receive compensation for service on the task force but is entitled to reimbursement of the travel expenses incurred by the member while conducting the business of the task force.
- (h) The task force may accept gifts and grants from any source to be used to carry out a function of the task force.
- (i) Not later than November 1, 2016, the task force shall submit a final report to the governor, the lieutenant governor, the speaker of the house of representatives, and the appropriate standing committees of the legislature. The report shall include a summary and analysis of:
  - (1) hearings and studies conducted by the task force;
  - (2) legislation proposed by the task force; and
  - (3) other findings and recommendations made by the task force.
- (j) Not later than December 1, 2015, the governor, the lieutenant governor, and the speaker of the house of representatives shall make the appointments to the task force as described under Subsection (c) of this section.
- (k) The task force is abolished and this section expires August 31, 2017.

SECTION 49. Effective September 1, 2015, Section 1001.201, Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, is amended by adding Subdivisions (4) and (5) to read as follows:

CONFERENCE

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

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

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

SECTION 3. Subchapter H, Chapter 1001, Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, is amended by adding Section 1001.2015 to read as follows:

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

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

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

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

SENATE VERSION (IE)

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

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

SECTION 50. ~~Effective September 1, 2015,~~ Subchapter H, Chapter 1001, Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, is amended by adding Section 1001.2015 to read as follows:

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

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

SECTION 51. ~~Effective September 1, 2015,~~ Section 1001.202(b), Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, is amended to read as follows:

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

CONFERENCE

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

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

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

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

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

Sec. 1001.2031. SUPPLEMENTAL GRANTS FOR TRAINING CERTAIN EDUCATORS IN MENTAL HEALTH FIRST AID. For each state fiscal year, the department may allocate any unobligated money appropriated

SENATE VERSION (IE)

SECTION 52. Effective September 1, 2015, Sections 1001.203(a) and (c), Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, are amended to read as follows:

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

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

SECTION 53. Effective September 1, 2015, Subchapter H, Chapter 1001, Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, is amended by adding Section 1001.2031 to read as follows:

Sec. 1001.2031. SUPPLEMENTAL GRANTS FOR TRAINING CERTAIN EDUCATORS IN MENTAL HEALTH FIRST AID. For each state fiscal year, the department may allocate any unobligated money appropriated

CONFERENCE

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

for making grants under Sections 1001.202 and 1001.203 for supplemental grants. The department may give a supplemental grant to a local mental health authority that submits to the department a revised plan as provided under Section 1001.204 that demonstrates how the additional grant money would be used if made available to the authority.

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

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

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

SECTION 8. Section 1001.205, Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, is amended to read as

SENATE VERSION (IE)

for making grants under Sections 1001.202 and 1001.203 for supplemental grants. The department may give a supplemental grant to a local mental health authority that submits to the department a revised plan as provided under Section 1001.204 that demonstrates how the additional grant money would be used if made available to the authority.

SECTION 54. Effective September 1, 2015, Section 1001.204(a), Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013, is amended to read as follows:

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

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

SECTION 55. Effective September 1, 2015, Section 1001.205, Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session,

CONFERENCE

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

follows:

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

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

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

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

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

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

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

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

SENATE VERSION (IE)

2013, is amended to read as follows:

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

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

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

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

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

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

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

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

CONFERENCE

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

No equivalent provision.

SECTION \_\_. Title 6, Civil Practice and Remedies Code, is amended by adding Chapter 150A to read as follows:

CHAPTER 150A. DISCOVERY BY GOVERNMENTAL UNIT

Sec. 150A.001. DEFINITIONS. In this chapter:

(1) "Governmental unit" has the meaning assigned by Section 101.001.

(2) "Religious organization" means an organization that qualifies as a religious organization under Section 11.20, Tax Code.

(3) "Religious worship" has the meaning assigned by Section 11.20, Tax Code.

Sec. 150A.002. SERMONS PRIVILEGED FROM DISCLOSURE TO GOVERNMENTAL UNIT. A governmental unit may not, in any civil action or other civil or administrative proceeding to which the governmental unit is a party, compel the production or disclosure of a written copy or audio or video recording of a sermon delivered by a religious leader during religious worship of a religious organization or compel the religious leader to testify regarding the sermon.  
[FA35]

No equivalent provision.

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

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

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

the county's next fiscal year and, if delivered to the commissioners court on or before that 90th day, takes effect on that first day of the next fiscal year. Otherwise, the schedule of fees takes effect on the first day of the next fiscal year that begins at least 90 days after the date of delivery~~[, a copy of the schedule shall be sent to the commissioners court of the county].~~ [FA20]

No equivalent provision.

SECTION \_\_. Article 26.05 (b), Code of Criminal Procedure, as amended by this Act, applies only to the adoption of a schedule of fees that will take effect on or after January 1, 2016. [FA20]

No equivalent provision.

SECTION 1. Effective September 1, 2015, Article 55.01(a), Code of Criminal Procedure, is amended to read as follows: [Deleted by FA3(1)]

No equivalent provision.

SECTION 2. Effective September 1, 2015, Section 1a, Article 55.02, Code of Criminal Procedure, is amended by adding Subsection (a-1) to read as follows: [Deleted by FA3(1)]

No equivalent provision.

SECTION 3. Effective September 1, 2015, Section 2(a), Article 55.02, Code of Criminal Procedure, is amended to read as follows: [Deleted by FA3(1)]



**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

No equivalent provision.

SECTION 9. Section 21.044(c-1), Education Code, is amended to read as follows:  
(c-1) Any minimum academic qualifications for a certificate specified under Subsection (a) that require a person to possess a bachelor's degree must also require that the person receive, as part of the training required to obtain that certificate, instruction regarding mental health, substance abuse, and youth suicide. The instruction required must be provided through a program selected from the list of recommended best practice-based programs established under Section 161.325, Health and Safety Code [~~in detection of students with mental or emotional disorders~~].

SENATE VERSION (IE)

SECTION \_\_. Chapter 103, Code of Criminal Procedure, is amended by adding Article 103.0081 to read as follows:  
Art. 103.0081. UNCOLLECTIBLE FEES. (a) Any officer authorized by this chapter to collect a fee or item of cost may request the trial court in which a criminal action or proceeding was held to make a finding that a fee or item of cost imposed in the action or proceeding is uncollectible if the officer believes:  
(1) the defendant is deceased;  
(2) the defendant is serving a sentence for imprisonment for life or life without parole; or  
(3) the fee has been unpaid for at least 10 years.  
(b) On a finding by a court that any condition described by Subsections (a)(1)-(3) is true, the court may order the officer to designate the fee or item of cost as uncollectible in the fee record. The officer shall attach a copy of the court's order to the fee record. [FA11]

SECTION 4. Effective September 1, 2015, Section 21.044(c-1), Education Code, is amended to read as follows:  
(c-1) Any minimum academic qualifications for a certificate specified under Subsection (a) that require a person to possess a bachelor's degree must also require that the person receive, as part of the training required to obtain that certificate, instruction regarding mental health, substance abuse, and youth suicide. The instruction required must:  
(1) be provided through a program selected from the list of recommended best practice-based programs established under Section 161.325, Health and Safety Code; and  
(2) include effective strategies for teaching and intervening with students with mental or emotional disorders, including

CONFERENCE

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

de-escalation techniques and positive behavioral interventions and supports ~~[in detection of students with mental or emotional disorders]~~.

SECTION 10. The following are repealed:

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

~~No equivalent provision.~~

SECTION 63. ~~Effective September 1, 2015,~~ the following are repealed:

- (1) Section 21.044(c-2), Education Code;
- (2) Section 1001.202(c), Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013;
- (3) Section 1001.203(b), Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session, 2013; [FA6(2)]
- (4) Section 170.002, Local Government Code; ~~and~~ [FA6(3)]
- (5) Section 250.006(b), Local Government Code. [FA6(4)]

SECTION \_\_. Subchapter E, Chapter 130, Education Code, is amended by adding Section 130.0827 to read as follows:

Sec. 130.0827. GOVERNING BOARD OF TRINITY VALLEY COMMUNITY COLLEGE DISTRICT. (a) Notwithstanding any other provision of this chapter, the governing board of the Trinity Valley Community College District may by resolution or order of the governing board increase the number of board members to 11. (b) A resolution or order of the governing board under this section must:

- (1) establish transition terms of office to conform to elections held in even-numbered years and staggered six-year terms;
- and
- (2) require the initial board members to draw lots to

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

determine the members' terms, with:  
(A) five members serving terms of two years;  
(B) three members serving terms of four years; and  
(C) three members serving terms of six years. [FA15]

No equivalent provision.

SECTION \_\_. Subchapter D, Chapter 51, Government Code, is amended by adding Section 51.3032 to read as follows:  
Sec. 51.3032. ELECTRONIC DISPLAY OF OFFICIAL AND LEGAL NOTICES BY DISTRICT CLERK. A district clerk my post an official and legal notice by electronic display, instead of posting a physical document, in the manner provided for a county clerk by Section 82.051, Local Government Code. [FA12]

No equivalent provision.

SECTION 5. Effective September 1, 2015, Section 54.976(a), Government Code, is amended to read as follows:  
(a) A judge may refer to a magistrate any criminal case or matter relating to a criminal case for proceedings involving:  
(1) a negotiated plea of guilty or no contest and sentencing;  
(2) a pretrial motion;  
(3) an examining trial;  
(4) a writ of habeas corpus;  
(5) a bond forfeiture suit;  
(6) issuance of search warrants;  
(7) setting, setting conditions, modifying, revoking, and surrendering of bonds, including surety bonds;  
(8) arraignment of defendants;  
(9) a motion to increase or decrease a bond;  
(10) a motion to revoke community supervision or to proceed to an adjudication;

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

- (11) an issue of competency or a civil commitment under Chapter 46, 46B, or 46C, Code of Criminal Procedure, with or without a jury;
- (12) a motion to modify community supervision;
- (13) specialty court proceedings, including drug court proceedings, veterans treatment [~~veteran's~~] court proceedings, and driving while intoxicated court proceedings;
- (14) an expunction or a petition for nondisclosure;
- (15) an occupational driver's license;
- (16) a waiver of extradition;
- (17) the issuance of subpoenas and orders requiring the production of medical records, including records relating to mental health or substance abuse treatment; and
- (18) any other matter the judge considers necessary and proper.

No equivalent provision.

SECTION 6. Effective September 1, 2015, Section 103.0271, Government Code, is amended to read as follows:  
Sec. 103.0271. ADDITIONAL MISCELLANEOUS FEES AND COSTS: GOVERNMENT CODE. Fees and costs shall be paid or collected under the Government Code as follows:  
(1) a program fee for a drug court program (Sec. 123.004, Government Code) . . . not to exceed \$1,000;  
(2) an alcohol or controlled substance testing, counseling, and treatment fee (Sec. 123.004, Government Code) . . . the amount necessary to cover the costs of testing, counseling, and treatment;  
(3) a reasonable program fee for a veterans treatment court program (Sec. 124.005, Government Code) . . . not to exceed \$1,000; and [FA3(2)]  
(4) a testing, counseling, and treatment fee for testing,

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

counseling, or treatment performed or provided under a veterans treatment court program (Sec. 124.005, Government Code) . . . the amount necessary to cover the costs of testing, counseling, or treatment.

No equivalent provision.

SECTION 7. Effective September 1, 2015, the heading to Chapter 124, Government Code, is amended to read as follows:

CHAPTER 124. VETERANS TREATMENT COURT PROGRAM

No equivalent provision.

SECTION 8. Effective September 1, 2015, Section 124.001, Government Code, is amended to read as follows:

Sec. 124.001. VETERANS TREATMENT COURT PROGRAM DEFINED; PROCEDURES FOR CERTAIN DEFENDANTS. (a) In this chapter, "veterans treatment court program" means a program that has the following essential characteristics:

- (1) the integration of services in the processing of cases in the judicial system;
- (2) the use of a nonadversarial approach involving prosecutors and defense attorneys to promote public safety and to protect the due process rights of program participants;
- (3) early identification and prompt placement of eligible participants in the program;
- (4) access to a continuum of alcohol, controlled substance, mental health, and other related treatment and rehabilitative services;
- (5) careful monitoring of treatment and services provided to program participants;

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

- (6) a coordinated strategy to govern program responses to participants' compliance;
  - (7) ongoing judicial interaction with program participants;
  - (8) monitoring and evaluation of program goals and effectiveness;
  - (9) continuing interdisciplinary education to promote effective program planning, implementation, and operations; and
  - (10) development of partnerships with public agencies and community organizations, including the United States Department of Veterans Affairs.
- (b) If a defendant successfully completes a veterans treatment court program [~~as authorized under Section 76.011~~], after notice to the attorney representing the state and a hearing in the veterans treatment court at which that court determines that a dismissal is in the best interest of justice, the court in which the criminal case is pending shall dismiss the case [~~criminal action~~] against the defendant. [FA3(3)]
- (c) [Deleted by FA3(3)]
- (d) [Deleted by FA3(3)]

No equivalent provision.

SECTION 9. Effective September 1, 2015, Section 124.002, Government Code, is amended by amending Subsections (a) and (b) and adding Subsection (d) to read as follows: [FA3(4)]

Sec. 124.002. (a) The commissioners court of a county may establish a veterans treatment court program for persons arrested for or charged with any misdemeanor or felony offense. A defendant is eligible to participate in a veterans treatment court program established under this chapter only if the attorney representing the state consents to the defendant's

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

participation in the program and if the court in which the criminal case is pending finds that the defendant[:

~~(1)~~ is a veteran or current member of the United States armed forces, including a member of the reserves, national guard, or state guard, who:

(1) [; and (2)] suffers from a brain injury, mental illness, or mental disorder, including post-traumatic stress disorder, or was a victim of military sexual trauma that:

(A) occurred during or resulted from the defendant's military service [in a combat zone or other similar hazardous duty area]; and

(B) [materially] affected the defendant's criminal conduct at issue in the case; or

(2) is a defendant whose participation in a veterans treatment court program, considering the circumstances of the defendant's conduct, personal and social background, and criminal history, is likely to achieve the objective of ensuring public safety through rehabilitation of the veteran in the manner provided by Section 1.02(1), Penal Code. [FA3(5)]

(b) The court in which the criminal case is pending shall allow an eligible defendant to choose whether to proceed through the veterans treatment court program or otherwise through the criminal justice system.

(c) [Deleted by FA3(6)]

(d) In this section, "military sexual trauma" means any sexual assault or sexual harassment that occurs while the victim is a member of the United States armed forces performing the person's regular duties.

No equivalent provision.

SECTION 10. Effective September 1, 2015, the heading to Section 124.003, Government Code, is amended to read as

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

follows:

Sec. 124.003. DUTIES OF VETERANS TREATMENT COURT PROGRAM.

No equivalent provision.

SECTION 11. Effective September 1, 2015, Section 124.003, Government Code, is amended by amending Subsections (a) and (b) and adding Subsection (b-1) to read as follows:

(a) A veterans treatment court program established under this chapter must:

(1) ensure that a defendant [~~person~~] eligible for participation in the program is provided legal counsel before volunteering to proceed through the program and while participating in the program;

(2) allow a participant to withdraw from the program at any time before a trial on the merits has been initiated;

(3) provide a participant with a court-ordered individualized treatment plan indicating the services that will be provided to the participant; and

(4) ensure that the jurisdiction of the veterans treatment court continues for a period of not less than six months but does not continue beyond the period of community supervision for the offense charged. [FA3(7)]

(b) A veterans treatment court program established under this chapter shall make, establish, and publish local procedures to ensure maximum participation of eligible defendants in the county or counties in which those defendants reside.

(b-1) A veterans treatment court program may allow a participant to comply with the participant's court-ordered individualized treatment plan or to fulfill certain other court obligations through the use of videoconferencing software or other Internet-based communications.



**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

No equivalent provision.

SECTION 12. Effective September 1, 2015, Section 124.004, Government Code, is amended to read as follows:

Sec. 124.004. ESTABLISHMENT OF REGIONAL PROGRAM. (a) The commissioners courts of two or more counties may elect to establish a regional veterans treatment court program under this chapter for the participating counties.

(b) For purposes of this chapter, each county that elects to establish a regional veterans treatment court program under this section is considered to have established the program and is entitled to retain fees under Article 102.0178, Code of Criminal Procedure, in the same manner as if the county had established a veterans treatment court program without participating in a regional program.

No equivalent provision.

SECTION 13. Effective September 1, 2015, Section 124.005(a), Government Code, is amended to read as follows:

(a) A veterans treatment court program established under this chapter may collect from a participant in the program:

(1) a reasonable program fee not to exceed \$1,000; and [FA3(8)]

(2) a testing, counseling, and treatment fee in an amount necessary to cover the costs of any testing, counseling, or treatment performed or provided under the program.

No equivalent provision.

SECTION 14. Effective September 1, 2015, Chapter 124, Government Code, is amended by adding Section 124.006 to read as follows:

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

Sec. 124.006. COURTESY SUPERVISION. (a) A veterans treatment court program that accepts placement of a defendant may transfer responsibility for supervising the defendant's participation in the program to another veterans treatment court program that is located in the county where the defendant works or resides. The defendant's supervision may be transferred under this section only with the consent of both veterans treatment court programs and the defendant.

(b) A defendant that consents to the transfer of the defendant's supervision must agree to abide by all rules, requirements, and instructions of the veterans treatment court program that accepts the transfer.

(c) If a defendant whose supervision is transferred under this section does not successfully complete the program, the veterans treatment court program supervising the defendant shall return the responsibility for the defendant's supervision to the veterans treatment court program that initiated the transfer.

(d) If a defendant is charged with an offense in a county that does not operate a veterans treatment court program, the court in which the criminal case is pending may place the defendant in a veterans treatment court program located in the county where the defendant works or resides, provided that a program is operated in that county and the defendant agrees to the placement. A defendant placed in a veterans treatment court program in accordance with this subsection must agree to abide by all rules, requirements, and instructions of the program.

No equivalent provision.

SECTION \_\_. Effective September 1, 2015, the heading to Chapter 614, Government Code, is amended to read as

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

follows:

CHAPTER 614. LAW ENFORCEMENT [~~PEACE~~]  
OFFICERS AND FIRE FIGHTERS [FA6(1)]

No equivalent provision.

SECTION \_\_. Effective September 1, 2015, Subchapter D, Chapter 614, Government Code, is amended to read as follows:

SUBCHAPTER D. PURCHASE OF [~~AGENCY ISSUED~~]  
FIREARM OF HONORABLY RETIRED OR DECEASED  
PEACE OFFICER OR COUNTY JAILER

Sec. 614.0505. DEFINITIONS. In this subchapter:

(1) "County jailer" has the meaning assigned by Section 1701.001, Occupations Code.

(2) "Governmental entity" means a state agency, a county, or a municipality.

Sec. 614.051. PURCHASE OF FIREARM BY HONORABLY RETIRED PEACE OFFICER OR COUNTY JAILER. (a) An individual may purchase a firearm from a governmental entity [~~state agency~~] if:

(1) the individual was a peace officer commissioned by or a county jailer employed by the entity [~~agency~~];

(2) the individual was honorably retired from the individual's commission or employment by the entity [~~state~~];

(3) the firearm had been previously issued to the individual by the entity [~~agency~~]; and

(4) the firearm is not a prohibited weapon under Section 46.05, Penal Code.

(b) An individual may purchase only one firearm from a governmental entity [~~state agency~~] under this section.

Sec. 614.052. PURCHASE OF FIREARM BY SURVIVING SPOUSE, CHILD, OR PARENT OF DECEASED PEACE

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

OFFICER OR COUNTY JAILER. (a) An individual listed under Subsection (b) may purchase a firearm from a governmental entity [~~state agency~~] if:

(1) the firearm had been previously issued by the entity [~~agency~~] to a peace officer commissioned by or a county jailer employed by the entity [~~agency~~] who died while commissioned or employed, without regard to whether the peace officer or county jailer died while discharging the officer's or jailer's official duties; and

(2) the firearm is not a prohibited weapon under Section 46.05, Penal Code.

(b) Individuals who may purchase the firearm under Subsection (a) are, in order of precedence:

(1) the surviving spouse of the deceased peace officer or county jailer;

(2) a child of the deceased peace officer or county jailer; and

(3) a parent of the deceased peace officer or county jailer.

Sec. 614.053. PURCHASE PRICE OF FIREARM. A governmental entity [~~state agency~~] shall establish the amount, which may not exceed fair market value, for which a firearm may be purchased under this subchapter.

Sec. 614.054. WHEN FIREARM MAY BE PURCHASED [~~FROM STATE AGENCY~~]; DELAY OF SALE BY GOVERNMENTAL ENTITY [~~AGENCY~~]. (a) Except as provided by Subsection (b), an individual must purchase a firearm under Section 614.051 before the second anniversary of the date of the person's retirement or under Section 614.052 before the second anniversary of the date of the [~~officer's~~] death of the peace officer or county jailer.

(b) A governmental entity [~~state agency~~] that cannot immediately replace the firearm may delay the sale of the firearm until the entity [~~agency~~] can replace the firearm.

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

[FA6(1)]

No equivalent provision.

SECTION 15. Effective September 1, 2015, Section 772.0061(a)(2), Government Code, as amended by Chapters 747 (S.B. 462) and 1167 (S.B. 484), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted and amended to read as follows:

(2) "Specialty court" means:

(A) a prostitution prevention program established under Chapter 169A, Health and Safety Code;

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

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

~~(D)~~ ~~(C)~~ a veterans treatment court program established under Chapter 124 or former law; and

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

No equivalent provision.

SECTION 16. Chapter 772, Government Code, is amended by adding Section 772.0072 to read as follows:

Sec. 772.0072. GRANT PROGRAM FOR MONITORING DEFENDANTS AND VICTIMS IN FAMILY VIOLENCE CASES. (a) In this section:

(1) "Criminal justice division" means the criminal justice division established under Section 772.006.

(2) "Family violence" has the meaning assigned by Section 71.004, Family Code.

(b) If funds are appropriated for the purposes of this section, the criminal justice division, in consultation with the Texas

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

Council on Family Violence, shall establish and administer a grant program to reimburse counties for all or part of the costs incurred by counties as a result of monitoring in cases involving family violence defendants and victims who participate in a global positioning monitoring system under Article 17.292 or 17.49, Code of Criminal Procedure.

(c) The criminal justice division, in consultation with the Texas Council on Family Violence, shall establish:

(1) additional eligibility criteria for grant applicants;

(2) grant application procedures;

(3) guidelines relating to grant amounts;

(4) procedures for evaluating grant applications; and

(5) procedures for monitoring the use of a grant awarded under the program and ensuring compliance with any conditions of a grant.

(d) The criminal justice division shall include in the biennial report required by Section 772.006(a)(9) a detailed reporting of the results and performance of the grant program administered under this section.

(e) The criminal justice division may use all revenue available for purposes of this section other than funding received under the Victims of Crime Act of 1984 (Title II, Pub. L. No. 98-473), the Violence Against Women Act of 1994 (Title IV, Pub. L. No. 103-322), or the Violence Against Women Act of 2000 (Division B, Pub. L. No. 106-386).

No equivalent provision.

SECTION \_\_. Section 1372.042, Government Code, is amended by adding Subsection (b-1), and amending Subsection (c) to read as follows:

(b-1) Notwithstanding Subsections (a), (a-1), and (b), an issuer shall close on bonds issued for a water pipeline project

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

that is part of the state water plan or an approved initially prepared regional water plan submitted to the Texas Water Development Board and for which a reservation was granted after August 15 not later than the 220th day after the reservation date.

(c) Notwithstanding Subsections (a), (a-1), ~~and~~ (b), and (b-1), if the 120-day period, the 150-day period, ~~or~~ the 180-day period, or the 220-day period, as applicable, expires on or after December 24 of the year in which the reservation was granted, the issuer shall close on the bonds before December 24, except that if the applicable period expires after December 31 of that year, the issuer may notify the board in writing before December 24 of the issuer's election to carry forward the reservation and of the issuer's expected bond closing date. In compliance with that requirements of Section 146(f), Internal Revenue Code of 1986, the board shall file in a timely manner a carryforward election with respect to any bonds expected to close after December 31 to permit the bonds to close by the expected date, except that the board may not file the carryforward election after February 15 of the year following the year in which the reservation was granted. The grant of the reservation for the balance of the 120-day period, the 150-day period, ~~or~~ the 180-day period, or the 220-day period, as applicable, is automatically and immediately reinstated on the board's filing of a carryforward election with respect to the reservation. [FA17]

No equivalent provision.

SECTION \_\_. Section 1502.056(a), Government Code, is amended to read as follows:

(a) If the revenue of a utility system, park, or swimming pool secures the payment of public securities issued or obligations

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

incurred under this chapter, each expense of operation and maintenance, including all salaries, labor, materials, interest, repairs and extensions necessary to provide efficient service, and each proper item of expense, is a first lien against that revenue. For a municipality with a population of more than one million but less than two million, the first lien against the revenue of a municipally owned utility system that secures the payment of public securities issued or obligations incurred under this chapter also applies to funding, as a necessary operations expense, for a bill payment assistance program for utility system customers who:

- (1) ~~[have been threatened with disconnection from service for nonpayment of bills and who]~~ have been determined by the municipality to be low-income customers; or
- (2) are military veterans who have significantly decreased abilities to regulate their bodies' core temperatures because of severe burns received in combat. [FA19]

No equivalent provision.

SECTION \_\_. Section 1502.056, Government Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) For a municipality in a county that contains an international border and borders the Gulf of Mexico, the first lien against the revenue of a municipally owned utility system that secures the payment of public securities issued or obligations incurred under this chapter also applies to funding, as a necessary operations expense, for a bill payment assistance program for the utility system's customers who:

- (1) have been determined by the municipality to be low-income customers;
- (2) are military veterans who have significantly decreased abilities to regulate their bodies' core temperatures because of



**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

severe burns received in combat; or  
(3) are elderly and low-income customers as determined by  
the municipality. [FA25]

No equivalent provision.

SECTION 17. Section 81.008, Health and Safety Code, as amended by S.B. 219, Acts of the 84th Legislature, Regular Session, 2015, is amended to read as follows:

Sec. 81.008. COMMUNICABLE DISEASE IN ANIMALS; EXCHANGE OF INFORMATION. (a) If the department or a local health authority has reasonable cause to believe that an animal has been infected with, has been exposed to, or is the carrier of a communicable disease, the department, local health authority, or Texas Animal Health Commission may obtain a sample of the animal's blood or other bodily fluid to perform a test for an infectious disease without:

(1) the permission of the animal's owner; or

(2) a control order under Section 81.084.

(b) The Texas Animal Health Commission and the Texas A&M [University] Veterinary Medical Diagnostic Laboratory shall each adopt by rule a memorandum of understanding, adopted also by rule by the executive commissioner, governing the exchange of information on communicable diseases in animals between the department and those entities.

No equivalent provision.

SECTION 18. Section 81.046, Health and Safety Code, is amended by amending Subsection (b) and adding Subsection (f-1) to read as follows:

(b) Reports, records, and information relating to cases or suspected cases of diseases or health conditions are not public information under Chapter 552, Government Code, and may

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

not be released or made public on subpoena or otherwise except as provided by Subsections (c), (d), ~~and~~ (f), and (f-1). (f-1) The department may release to a first responder, as defined by Section 421.095, Government Code, or a local health authority a person's name and the address of the person's current location if:  
(1) the department reasonably believes that the person is infected with, has been exposed to, or is the carrier of a communicable disease; and  
(2) the communicable disease poses a serious health risk to first responders that do not wear the appropriate personal protective equipment.

No equivalent provision.

SECTION 19. Section 81.083, Health and Safety Code, is amended by amending Subsections (a), (b), and (e) and adding Subsection (d-1) to read as follows:  
(a) Any person, including a physician, who examines or treats an individual who has a communicable disease, or the department or a local health authority, shall instruct the individual about:  
(1) measures for preventing reinfection and spread of the disease; and  
(2) the necessity for treatment until the individual is cured or free from the infection.  
(b) If the department or a health authority has reasonable cause to believe that an individual is infected ~~is~~ with, has been exposed to, or is the carrier of a communicable disease, the department or health authority may order the individual, or the individual's parent, legal guardian, or managing conservator if the individual is a minor, to implement control measures that are reasonable and necessary to prevent the

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

introduction, transmission, and spread of the disease in this state. The order may require the individual to remain in a health care facility or other location, including the individual's home.

(d-1) A peace officer, including a sheriff or constable, may use reasonable force to:

(1) secure an individual subject to an order issued under Subsection (b); and

(2) except as directed by the department or the health authority, prevent the individual from leaving the facility or other location designated in the order.

(e) An individual may be subject to emergency detention under Section 81.0891 or court orders under Subchapter G if the individual is infected with, has been exposed to, or is the carrier of or is reasonably suspected of being infected with, having been exposed to, or being the carrier of a communicable disease that presents an immediate threat to the public health and:

(1) the individual, or the individual's parent, legal guardian, or managing conservator if the individual is a minor, does not comply with the written orders of the department or a health authority under this section; or

(2) a public health disaster exists, regardless of whether the department or health authority has issued a written order and the individual has indicated that the individual will not voluntarily comply with control measures.

No equivalent provision.

SECTION 20. Section 81.084(j), Health and Safety Code, is amended to read as follows:

(j) In this section, "property" means:

(1) an object;

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

- (2) a parcel of land; [~~or~~]
- (3) an animal; or
- (4) a structure[~~, animal,~~] or other property on a parcel of land.

No equivalent provision.

SECTION 21. Sections 81.086(b), (c), and (i), Health and Safety Code, are amended to read as follows:

(b) If the department or health authority has reasonable cause to believe that a carrier or conveyance has departed from or traveled through an area infected or contaminated with a communicable disease or that an individual transported by the carrier or conveyance is infected with, has been exposed to, or is the carrier of a communicable disease, the department or health authority may order the owner, operator, or authorized agent in control of the carrier or conveyance to:

- (1) stop the carrier or conveyance at a port of entry or place of first landing or first arrival in this state; and
- (2) provide information on passengers and cargo manifests that includes the details of:
  - (A) any illness suspected of being communicable that occurred during the journey;
  - (B) any condition on board the carrier or conveyance during the journey that may lead to the spread of disease; and
  - (C) any control measures imposed on the carrier or conveyance, its passengers or crew, or its cargo or any other object on board during the journey.

(c) The department or health authority may impose necessary technically feasible control measures under Section 81.083 or 81.084 to prevent the introduction and spread of communicable disease in this state if the department or health authority, after inspection, has reasonable cause to believe that a carrier or conveyance;

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(1) ~~that~~ has departed from or traveled through an infected or contaminated area and:

(A) ~~(1)~~ is or may be infected or contaminated with a communicable disease; or

(B) ~~(2)~~ has cargo or an object on board that is or may be infected or contaminated with a communicable disease; or

(2) ~~(3)~~ has an individual on board who is infected with, has been exposed to, or is the carrier of~~;~~ a communicable disease.

(i) The department or health authority may require an individual transported by carrier or conveyance who the department or health authority has reasonable cause to believe is infected with, has been exposed to, or is the carrier of a communicable disease to be isolated from other travelers and to disembark with the individual's personal effects and baggage at the first location equipped with adequate investigative and disease control facilities, whether the person is in transit through this state or to an intermediate or ultimate destination in this state. The department or health authority may investigate and, if necessary, isolate or involuntarily hospitalize the individual until the department or health authority approves the discharge as authorized by Section 81.083.

No equivalent provision.

SECTION 22. Subchapter E, Chapter 81, Health and Safety Code, is amended by adding Sections 81.0891, 81.0892, 81.0893, 81.0894, and 81.0895 to read as follows:

Sec. 81.0891. EMERGENCY DETENTION OF INDIVIDUAL SUBJECT TO CONTROL ORDER. (a) A peace officer, without a warrant, may take an individual into custody if the officer has reason to believe and does believe

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

that:

(1) the individual is subject to a written control order under Section 81.083 issued in response to a communicable disease that the commissioner of state health services has determined poses a serious and imminent risk to health and safety because the disease:

(A) has resulted or is likely to result in severe or life-threatening illness or death for those infected with the disease; and

(B) is not contained by current public health and medical interventions and is resulting in a high rate of morbidity or mortality;

(2) the individual, or the individual's parent, legal guardian, or managing conservator if the individual is a minor, is not complying with or does not intend to comply with the control order; and

(3) there is a substantial risk of serious harm to others unless the individual is immediately detained.

(b) A substantial risk of serious harm to others under Subsection (a)(3) may be demonstrated by:

(1) a violation of a control order issued in response to a communicable disease described by Subsection (a)(1) by the individual or, if the individual is a minor, the individual's parent, legal guardian, or managing conservator;

(2) evidence of signs or symptoms of illness consistent with the signs or symptoms of a communicable disease described by Subsection (a)(1), to the extent that the person cannot remain at liberty; or

(3) information provided to the peace officer by the local health authority that issued the control order or the department.

(c)The peace officer may form the belief that the individual

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

may be subject to emergency detention under this section on information and belief from the local health authority that issued the control order or the department. [FA1]

(d) A peace officer who takes an individual into custody under Subsection (a) shall immediately transport or, if the individual's suspected illness may pose a serious health risk to the peace officer, arrange for transportation of the individual to:

(1) the nearest appropriate health facility, as determined by the department; or

(2) a location considered suitable by the department or local health authority, including the individual's home.

(e) In determining whether a health facility or location is appropriate for detention of a particular individual under Subsection (d), the department or local health authority shall, to the extent possible while still protecting the public health, attempt to keep family units together.

(f) In determining whether a health facility is appropriate for the detention of a person under Subsection (d)(1), the department shall consider the facility's capacity and resources and whether the facility is designated as a facility for containment and treatment of communicable diseases.

(g) A peace officer who takes an individual into custody under Subsection (a) shall immediately inform the individual orally in simple, nontechnical terms:

(1) of the reason for the detention;

(2) of the individual's rights under Section 81.0895; and

(3) that a staff member of the health facility, or the department or local health authority if the individual is detained at a location under Subsection (d)(2), will inform the individual of the individual's rights under Section 81.0895 not later than 24 hours after the time the individual is admitted to

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

the facility or detained at the other location, as applicable.  
Sec. 81.0892. PEACE OFFICER'S NOTIFICATION OF  
DETENTION. (a) A peace officer shall immediately file  
with a health facility, or the local health authority or the  
department if the individual is detained at a location under  
Section 81.0891(d)(2), a notification of detention after  
transporting an individual to that facility or location under  
Section 81.0891.  
(b) The notification of detention must contain:  
(1) a statement that the officer has reason to believe and does  
believe that:  
(A) the individual is the subject of a communicable disease  
control order under Section 81.083 in response to a  
communicable disease described by Section 81.0891(a)(1);  
(B) the individual, or the individual's parent, legal guardian,  
or managing conservator if the individual is a minor, is not  
complying with or does not intend to comply with the control  
order;  
(C) the individual evidences a substantial risk of serious harm  
to others; and  
(D) the risk of harm is imminent unless the person is  
immediately detained;  
(2) a statement that the officer's beliefs are based on specific  
recent behavior, overt acts, attempts, statements, or threats  
that were observed by or reliably reported to the officer; and  
(3) a detailed description of the specific behavior, overt acts,  
attempts, statements, or threats and, if applicable, the name of  
the person who reported or observed the behavior, acts,  
attempts, statements, or threats.  
(c) If the individual is detained at a health facility under  
Section 81.0891(d)(1), the facility in which the individual is  
detained shall include in the detained individual's file the



**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

notification of detention described by this section.  
(d) The peace officer shall give the notification of detention on the following form:

Notification--Communicable Disease Emergency Detention  
NO. \_\_\_\_\_

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

THE STATE OF TEXAS  
FOR THE BEST INTEREST AND PROTECTION OF:

NOTIFICATION OF COMMUNICABLE DISEASE  
EMERGENCY DETENTION

Now comes \_\_\_\_\_, a peace officer with \_\_\_\_\_ (name of agency) \_\_\_\_\_, of the State of Texas,

and states as follows:

1. I have reason to believe and do believe that (name of individual to be detained) \_\_\_\_\_ is the subject of a control order under Section 81.083, Health and Safety Code, issued in response to a communicable disease determined by the commissioner of state health services to pose a serious and imminent risk to health and safety.

2. I have reason to believe and do believe that the above-named individual (or, if applicable, the minor individual's parent, legal guardian, or managing conservator) is not complying with or does not intend to comply with the control order based on the following:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

3. I have reason to believe and do believe that the above-named individual evidences a substantial risk of serious harm to others based on the following:

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4. I have reason to believe and do believe that the risk of harm is imminent unless the above-named individual is immediately detained.

5. My beliefs are based on the following recent behavior, overt acts, attempts, statements, or threats observed by me or reliably reported to me:

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6. The names and addresses of those persons who reported or observed recent behavior, overt acts, attempts, statements, or threats of the above-named person are (if applicable):

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For the above reasons, I present this notification to (name of

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

health facility or local health authority or department  
for the detention of (name of  
individual to be detained).

7. Was the individual restrained in any way? Yes  No   
BADGE NO.

PEACE OFFICER'S SIGNATURE

Address: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_

(e) A health facility, local health authority, or the department may not require a peace officer to execute any form other than the form provided by Subsection (d) as a condition of accepting for temporary admission an individual detained under Section 81.0891.

Sec. 81.0893. ACCEPTANCE OF PERSON. A health facility shall temporarily accept an individual for whom a peace officer files a notification of detention under Section 81.0892(a).

Sec. 81.0894. RELEASE FROM DETENTION. (a) An individual detained under Section 81.0891 may be detained in custody for not longer than 48 hours after the time the individual is presented to the health facility or location unless a written order for further custody or detention is obtained under Subchapter G.

(b) If the 48-hour period ends on a Saturday, Sunday, legal holiday, or before 4 p.m. on the first succeeding business day, the individual may be detained until 4 p.m. on the first succeeding business day. If the 48-hour period ends at a different time, the individual may be detained only until 4 p.m. on the day the 48-hour period ends.

(c) If extremely hazardous weather conditions exist or a

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

disaster occurs, the presiding judge or magistrate may, by written order made each day, extend by an additional 24 hours the period during which the individual may be detained. The written order must declare that an emergency exists because of the weather or the occurrence of a disaster.

Sec. 81.0895. RIGHTS OF INDIVIDUALS DETAINED. (a) An individual subject to emergency detention under Section 81.0891 has the right:

(1) to be advised of the location of detention, the reasons for the detention, and the fact that the detention could result in a longer period of court-ordered management;

(2) to a reasonable opportunity to communicate with and retain an attorney;

(3) to be released from a health facility as provided by Section 81.0894;

(4) to be advised that communications with a health professional, local health authority, or the department may be used in proceedings for further detention; and

(5) to a reasonable opportunity to communicate with a relative or other responsible person who has a proper interest in the individual's welfare.

(b) An individual detained under Section 81.0891 must:

(1) immediately be informed, orally in simple, nontechnical terms, of the individual's rights under this section by the peace officer at the time the peace officer takes the individual into custody under Section 81.0891; and

(2) not later than 24 hours after the time the individual is admitted to a health facility or detained in another location, as applicable, be informed of the rights provided by this section and this subchapter:

(A) orally in simple, nontechnical terms and in writing in the person's primary language, if possible; or

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(B) through the use of a means reasonably calculated to communicate with a hearing or visually impaired individual, if applicable.

(c) The executive commissioner of the Health and Human Services Commission by rule shall prescribe the manner in which the individual is informed of the individual's rights under this subchapter.

No equivalent provision.

SECTION 23. The heading to Subchapter G, Chapter 81, Health and Safety Code, is amended to read as follows:  
SUBCHAPTER G. COURT ORDERS FOR  
MANAGEMENT OF PERSONS WHO ARE INFECTED  
WITH, EXPOSED TO, OR CARRIERS OF  
COMMUNICABLE DISEASES

No equivalent provision.

SECTION 24. Section 81.151(e), Health and Safety Code, is amended to read as follows:  
(e) A single application may be filed for a group if:  
(1) the department or health authority reasonably suspects that a group of five or more persons are infected with, have been [has been] exposed to, or are carriers of [infected with] a communicable disease; and  
(2) each person in the group meets the criteria of this chapter for court orders for the management of a person who is infected with, has been exposed to, or is a carrier of a communicable disease.

No equivalent provision.

SECTION 25. Section 81.1511, Health and Safety Code, is amended to read as follows:

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

Sec. 81.1511. APPLICABILITY OF SUBCHAPTER TO GROUP. To the extent possible, and except as otherwise provided, if a group application is filed under Section 81.151(e), the provisions of this subchapter apply to the group in the same manner as they apply to an individual, except that:

- (1) except as provided by Subdivision (2), any statement or determination regarding the condition [~~conduct~~] or status of a person must be made in regard to the majority of the members of the group;
- (2) any finding or statement related to compliance with orders under Section 81.083 must be made for the entire group;
- (3) any notice required to be provided to a person must:
  - (A) in addition to being sent to each individual in the group for whom the department or health authority has an address, be published in a newspaper of general circulation in the county that includes the area of the suspected contamination and any other county in which the department or health authority suspects a member of the group resides;
  - (B) state that the group is appointed an attorney but that a member of the group is entitled to the member's own attorney on request; and
  - (C) include instructions for any person who reasonably suspects that the person was at the place of the suspected exposure at the time of the suspected exposure to provide the person's name, address, and county of residence to the department or health authority; and
- (4) an affidavit of medical evaluation for the group may be based on evaluation of one or more members of the group if the physician reasonably believes that the condition of the individual or individuals represents the condition of the majority of the members of the group.

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

No equivalent provision.

SENATE VERSION (IE)

CONFERENCE

SECTION 26. Section 81.152, Health and Safety Code, is amended to read as follows:

Sec. 81.152. FORM OF APPLICATION. (a) An application for a court order for the management of a person who is infected with, has been exposed to, or is a carrier of a communicable disease must be styled using the person's initials and not the person's full name.

(b) The application must state whether the application is for temporary or extended management of a person who is infected with, has been exposed to, or is a carrier of a communicable disease.

(c) Any application must contain the following information according to the applicant's information and belief:

- (1) the person's name and address;
- (2) the person's county of residence in this state;
- (3) a statement that the person is infected with, has been exposed to, or is the carrier of or is reasonably suspected of being infected with, having been exposed to, or being the carrier of a communicable disease that presents a threat to public health and that the person meets the criteria of this chapter for court orders for the management of a person with a communicable disease; and
- (4) a statement, to be included only in an application for inpatient treatment, that the person fails or refuses to comply with written orders of the department or health authority under Section 81.083, if applicable.

(d) A group application must contain the following information according to the applicant's information and belief:

- (1) a description of the group and the location where the members of the group may be found;
- (2) a narrative of how the members of the group have become

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

infected with, were ~~[has been]~~ exposed to, or became carriers of the communicable disease ~~[infected]~~;

(3) an estimate of how many persons are included in the group;

(4) to the extent known, a list containing the name, address, and county of residence in this state of each member of the group;

(5) if the applicant is unable to obtain the name and address of each member of the group:

(A) a statement that the applicant has sought each of the unknown names and addresses; and

(B) the reason that the names and addresses are unavailable; and

(6) a statement, to be included only in an application for inpatient treatment, that the members of the group fail or refuse to comply with written orders of the department or health authority under Section 81.083, if applicable.

No equivalent provision.

SECTION 27. Section 81.153(a), Health and Safety Code, is amended to read as follows:

(a) The judge shall appoint an attorney to represent a person not later than the 24th hour after the time an application for a court order for the management of a person who is infected with, has been exposed to, or is the carrier of a communicable disease is filed if the person does not have an attorney. The judge shall also appoint a language or sign interpreter if necessary to ensure effective communication with the attorney in the person's primary language.

No equivalent provision.

SECTION 28. Section 81.158(a), Health and Safety Code, is



**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

amended to read as follows:

(a) An affidavit of medical evaluation must be dated and signed by the commissioner or the commissioner's designee, or by a health authority with the concurrence of the commissioner or the commissioner's designee. The certificate must include:

- (1) the name and address of the examining physician, if applicable;
- (2) the name and address of the person examined or to be examined;
- (3) the date and place of the examination, if applicable;
- (4) a brief diagnosis of the examined person's physical and mental condition, if applicable;
- (5) the period, if any, during which the examined person has been under the care of the examining physician;
- (6) an accurate description of the health treatment, if any, given by or administered under the direction of the examining physician; and
- (7) the opinion of the health authority or department and the reason for that opinion, including laboratory reports, that:
  - (A) the examined person is infected with, has been exposed to, or is the carrier of or is reasonably suspected of being infected with, having been exposed to, or being the carrier of a communicable disease that presents a threat to public health; and
  - (B) as a result of that communicable disease the examined person:
    - (i) is likely to cause serious harm to self [~~himself~~]; or
    - (ii) will, if not examined, observed, or treated, continue to endanger public health.

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

No equivalent provision.

SENATE VERSION (IE)

SECTION 29. Section 81.159(a), Health and Safety Code, as amended by S.B. 219, Acts of the 84th Legislature, Regular Session, 2015, is amended to read as follows:

(a) The commissioner shall designate health care facilities throughout the state that are capable of providing services for the examination, observation, isolation, or treatment of persons having or suspected of being infected with, having been exposed to, or being a carrier of ~~having~~ a communicable disease. However, the commissioner may not designate:

- (1) a nursing facility or custodial care home required to be licensed under Chapter 242; or
- (2) an ICF-IID required to be licensed under Chapter 252.

CONFERENCE

No equivalent provision.

SECTION 30. Sections 81.161(a) and (c), Health and Safety Code, are amended to read as follows:

(a) A motion for an order of protective custody may be filed only in the court in which an application for a court order for the management of a person who is infected with, has been exposed to, or is the carrier of a communicable disease is pending.

(c) The motion must state that:

- (1) the department or health authority has reason to believe and does believe that the person meets the criteria authorizing the court to order protective custody; and
- (2) the belief is derived from:
  - (A) the representations of a credible person;
  - (B) the condition ~~conduct~~ of the person who is the subject of the motion; or
  - (C) the circumstances under which the person is found.

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

No equivalent provision.

SENATE VERSION (IE)

SECTION 31. Sections 81.162(a) and (f), Health and Safety Code, are amended to read as follows:

(a) The judge or designated magistrate may issue a protective custody order if the judge or magistrate determines:

(1) that the health authority or department has stated its opinion and the detailed basis for its opinion that the person is infected with, has been exposed to, or is the carrier of or is reasonably suspected of being infected with, having been exposed to, or being the carrier of a communicable disease that presents an immediate threat to the public health; and

(2) that the person fails or refuses to comply with the written orders of the health authority or the department under Section 81.083, if applicable.

(f) Notwithstanding Section 81.161 or Subsection (c), a judge or magistrate may issue a temporary protective custody order before the filing of an application for a court order for the management of a person who is infected with, has been exposed to, or is a carrier of a communicable disease under Section 81.151 if:

(1) the judge or magistrate takes testimony that an application under Section 81.151, together with a motion for protective custody under Section 81.161, will be filed with the court on the next business day; and

(2) the judge or magistrate determines based on evidence taken under Subsection (d) that there is probable cause to believe that the person presents a substantial risk of serious harm to self [~~himself~~] or others to the extent that the person cannot be at liberty pending the filing of the application and motion.

CONFERENCE

No equivalent provision.

SECTION 32. Section 81.165(a), Health and Safety Code, is

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

amended to read as follows:

(a) A hearing must be held to determine if:

(1) there is probable cause to believe that a person under a protective custody order presents a substantial risk of serious harm to the person [~~himself~~] or others to the extent that the person cannot be at liberty pending the hearing on a court order for the management of a person with a communicable disease; and

(2) the health authority or department has stated its opinion and the detailed basis for its opinion that the person is infected with, has been exposed to, or is the carrier of or is reasonably suspected of being infected with, having been exposed to, or being the carrier of a communicable disease that presents an immediate threat to public health.

No equivalent provision.

SECTION 33. Section 81.166(d), Health and Safety Code, as amended by S.B. 219, Acts of the 84th Legislature, Regular Session, 2015, is amended to read as follows:

(d) The notification of probable cause hearing shall read as follows:

(Style of Case)

**NOTIFICATION OF PROBABLE CAUSE HEARING**

On this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, the undersigned hearing officer heard evidence concerning the need for protective custody of \_\_\_\_\_ (hereinafter referred to as proposed patient). The proposed patient was given the opportunity to challenge the allegations that the proposed patient presents a substantial risk of serious harm to self or others.

The proposed patient and the proposed patient's attorney \_\_\_\_\_ have been given written notice

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

that the proposed patient was placed under an order of protective custody and the reasons for such order on \_\_\_\_\_ (date of notice).

I have examined the affidavit of medical evaluation and \_\_\_\_\_ (other evidence considered). Based on this evidence, I find that there is probable cause to believe that the proposed patient presents a substantial risk of serious harm to self (yes \_\_\_\_ or no \_\_\_\_ ) or others (yes \_\_\_\_ or no \_\_\_\_ ) such that the proposed patient cannot be at liberty pending final hearing because the proposed patient is infected with, has been exposed to, or is the carrier of or is reasonably suspected of being infected with, having been exposed to, or being the carrier of a communicable disease that presents an immediate threat to the public health and the proposed patient has failed or refused to comply with the orders of the health authority or the Department of State Health Services delivered on \_\_\_\_\_ (date of service) \_\_\_\_\_.

No equivalent provision.

SECTION 34. Section 81.167(a), Health and Safety Code, is amended to read as follows:

(a) The head of a facility or the facility head's designee shall detain a person under a protective custody order in the facility pending a court order for the management of a person who is infected with, has been exposed to, or is a carrier of a communicable disease or until the person is released or discharged under Section 81.168.

No equivalent provision.

SECTION 35. Section 81.168(c), Health and Safety Code, is amended to read as follows:

(c) The head of a facility shall discharge a person held under

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

a protective custody order if:

(1) the head of the facility does not receive notice within 72 hours after detention begins, excluding Saturdays, Sundays, legal holidays, the period prescribed by Section 81.165(b) for an extreme weather emergency, and the duration of a public health disaster, that a probable cause hearing was held and the person's continued detention was authorized;

(2) a final court order for the management of a person who is infected with, has been exposed to, or is a carrier of a communicable disease has not been entered within the time prescribed by Section 81.154; or

(3) the health authority or commissioner determines that the person no longer meets the criteria for protective custody prescribed by Section 81.162.

No equivalent provision.

SECTION 36. Section 81.169(a), Health and Safety Code, is amended to read as follows:

(a) Except as provided by Subsection (b), the judge may hold a hearing on an application for a court order for the management of a person who is infected with, has been exposed to, or is a carrier of a communicable disease at any suitable location in the county. The hearing should be held in a physical setting that is not likely to have a harmful effect on the public or the person.

No equivalent provision.

SECTION 37. Section 81.170(f), Health and Safety Code, is amended to read as follows:

(f) The jury shall determine if the person is infected with, has been exposed to, or is the carrier of or is reasonably suspected of being infected with, having been exposed to, or being the

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

carrier of a communicable disease that presents a threat to the public health and, if the application is for inpatient treatment, has refused or failed to follow the orders of the health authority. The jury may not make a finding about the type of services to be provided to the person.

No equivalent provision.

SECTION 38. Section 81.171(a), Health and Safety Code, is amended to read as follows:

(a) The court shall enter an order denying an application for a court order for temporary or extended management if after a hearing the judge or jury fails to find, from clear and convincing evidence, that the person:

(1) is infected with, has been exposed to, or is the carrier of or is reasonably suspected of being infected with, having been exposed to, or being the carrier of a communicable disease that presents a threat to the public health;

(2) has refused or failed to follow the orders of the health authority if the application is for inpatient treatment; and

(3) meets the applicable criteria for orders for the management of a person who is infected with, has been exposed to, or is a carrier of a communicable disease.

No equivalent provision.

SECTION 39. Section 81.172(a), Health and Safety Code, is amended to read as follows:

(a) The judge or jury may determine that a person requires court-ordered examination, observation, isolation, or treatment only if the judge or jury finds, from clear and convincing evidence, that:

(1) the person is infected with, has been exposed to, or is the carrier of or is reasonably suspected of being infected with,

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

having been exposed to, or being the carrier of a communicable disease that presents a threat to the public health and, if the application is for inpatient treatment, has failed or refused to follow the orders of the health authority or department; and

(2) as a result of the communicable disease the person:

(A) is likely to cause serious harm to self [~~himself~~]; or

(B) will, if not examined, observed, isolated, or treated, continue to endanger public health.

No equivalent provision.

SECTION 40. Section 81.174(a), Health and Safety Code, is amended to read as follows:

(a) The judge shall dismiss the jury, if any, after a hearing in which a person is found:

(1) to be infected with, to have been exposed to, or to be the carrier of or to be reasonably suspected of being infected with, having been exposed to, or being a carrier of a communicable disease;

(2) to have failed or refused to follow the orders of a health authority or the department if the application is for inpatient treatment; and

(3) to meet the criteria for orders for the management of a patient who is infected with, has been exposed to, or is a carrier of a communicable disease.

No equivalent provision.

SECTION 41. Section 81.176, Health and Safety Code, is amended to read as follows:

Sec. 81.176. DESIGNATION OF FACILITY. In a court order for the temporary or extended management of a person who is infected with, has been exposed to, or is a carrier of a



**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

communicable disease specifying inpatient care, the court shall commit the person to a health care facility designated by the commissioner or a health authority in accordance with Section 81.159.

No equivalent provision.

SECTION 42. Section 81.183(b), Health and Safety Code, is amended to read as follows:

(b) The court shall appoint an attorney to represent the person if a hearing is scheduled. The person shall be given notice of the matters to be considered at the hearing. The notice must comply with the requirements of Section 81.155 for notice before a hearing on an application for court orders for the management of a person who is infected with, has been exposed to, or is a carrier of a communicable disease.

No equivalent provision.

SECTION 43. Section 81.186(a), Health and Safety Code, is amended to read as follows:

(a) The court may modify an order for outpatient services at the modification hearing if the court determines that the person continues to meet the applicable criteria for court orders for the management of a person who is infected with, has been exposed to, or is a carrier of a communicable disease and that:

- (1) the person has not complied with the court's order; or
- (2) the person's condition has deteriorated to the extent that outpatient services are no longer appropriate.

No equivalent provision.

SECTION 44. Section 81.188(a), Health and Safety Code, is amended to read as follows:

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(a) The court may set aside an order for the management of a person who is infected with, has been exposed to, or is a carrier of a communicable disease and grant a motion for rehearing for good cause shown.

No equivalent provision.

SECTION 45. Section 81.190(d), Health and Safety Code, is amended to read as follows:

(d) The hearing is held before the court and without a jury. The hearing must be held in accordance with the requirements for a hearing on an application for a court order for the management of a person who is infected with, has been exposed to, or is a carrier of a communicable disease.

No equivalent provision.

SECTION 46. Section 81.191(a), Health and Safety Code, is amended to read as follows:

(a) An appeal from an order for the management of a person who is infected with, has been exposed to, or is a carrier of a communicable disease, or from a renewal or modification of an order, must be filed in the court of appeals for the county in which the order is entered.

No equivalent provision.

SECTION 47. Section 81.193(a), Health and Safety Code, is amended to read as follows:

(a) The head of a facility may permit a person admitted to the facility under order for extended inpatient management of a person who is infected with, has been exposed to, or is a carrier of a communicable disease to leave the facility under a pass.

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

No equivalent provision.

SECTION 48. Chapter 81, Health and Safety Code, is amended by adding Subchapter J to read as follows:  
SUBCHAPTER J. STATEWIDE INFECTIOUS DISEASE CONTROL MEASURES; PREPARATION  
Sec. 81.401. PERSONAL PROTECTIVE EQUIPMENT. (a) In this section, "personal protective equipment" means specialized clothing or equipment worn for protection against infectious materials.  
(b) The department shall establish a stockpile, or regional stockpiles, of personal protective equipment to support responses to infectious disease emergencies in the state, if funds are appropriated for the purposes of this section.

No equivalent provision.

SECTION \_\_. Subchapter C, Chapter 821, Health and Safety Code, is amended by adding Section 821.0521 to read as follows:  
Sec. 821.0521. EUTHANASIA OF CERTAIN ANIMALS PROHIBITED. (a) This section applies only to a county:  
(1) with a population of more than 1.5 million that contains a municipality in which at least 75 percent of the county's population resides; or  
(2) that borders the United Mexican States and the Gulf of Mexico.  
(b) A person may not euthanize a dog, cat, or other animal in the custody of an animal shelter if the animal could safely be placed:  
(1) in an empty cage, kennel, or other living environment intended for animal habitation in the animal shelter; or  
(2) in a shared cage, kennel, or other living environment intended for animal habitation in the animal shelter with another animal of the same species.

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(c) A cage, kennel, or other living environment described by Subsection (b)(1) or (2) does not include a cage, kennel, or other living environment in an animal shelter that is:

(1) not attached to the animal shelter or the premises of the animal shelter; or

(2) restricted to the public and designated for the provision of treatment and care to sick or injured animals.

(d) Subsection (b) does not apply to:

(1) an animal that is suspected of carrying and is otherwise exhibiting signs of rabies as determined by a licensed veterinarian;

(2) a dog that a court has determined to be a dangerous dog under Subchapter D, Chapter 822;

(3) a dog that has bitten a person severely enough that the person suffered an injury requiring more than minor medical attention;

(4) a dog that has bitten a cat or another dog, causing serious injury or death to the other animal;

(5) a dog that a certified animal behaviorist or qualified shelter staff has determined is a threat to human safety; or

(6) an animal that has a poor or grave prognosis for being able to live without severe, unremitting pain, even with comprehensive, prompt, and necessary veterinary care, as determined by a licensed veterinarian.

(e) This section does not require a person who is an agent of an animal shelter to:

(1) group dogs or cats together in a manner that does not provide each animal the ability to turn freely or to easily stand, sit, stretch, move the animal's head without touching the top of the enclosure, lie in a comfortable position with limbs extended, or move around to assume a comfortable posture for feeding, drinking, urinating, and defecating;

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(2) group two or more dogs together unless they are bonded companions or related;

(3) group sick animals with healthy animals; or

(4) group a dog that weighs more than 30 pounds with another dog without prior approval of a shelter staff member that is granted after the shelter staff member has supervised an introduction of the dogs.

(f) This section does not prohibit a person who is an agent of an animal shelter from euthanizing an animal to make a cage or kennel space available for an additional animal, if the additional animal is in the custody of the animal shelter or the agent and is expected to arrive at the animal shelter within a reasonable period of time. [FA29]

No equivalent provision.

SECTION \_\_. Section 822.102(a), Health and Safety Code, as amended by S.B. No. 219, Acts of the 84th Legislature, Regular Session, 2015, is amended to read as follows:

(a) This subchapter does not apply to:

(1) a county, municipality, or agency of the state or an agency of the United States or an agent or official of a county, municipality, or agency acting in an official capacity;

(2) a research facility, as that term is defined by Section 2(e), Animal Welfare Act (7 U.S.C. Section 2132), and its subsequent amendments, that is licensed by the secretary of agriculture of the United States under that Act;

(3) an organization that is an accredited member of the Association of Zoos and Aquariums;

(4) an injured, infirm, orphaned, or abandoned dangerous wild animal while being transported for care or treatment;

(5) an injured, infirm, orphaned, or abandoned dangerous wild animal while being rehabilitated, treated, or cared for by

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

a licensed veterinarian, an incorporated humane society or animal shelter, or a person who holds a rehabilitation permit issued under Subchapter C, Chapter 43, Parks and Wildlife Code;

(6) a dangerous wild animal owned by and in the custody and control of a transient circus company that is not based in this state if:

(A) the animal is used as an integral part of the circus performances; and

(B) the animal is kept within this state only during the time the circus is performing in this state or for a period not to exceed 30 days while the circus is performing outside the United States;

(7) a dangerous wild animal while in the temporary custody or control of a television or motion picture production company during the filming of a television or motion picture production in this state;

(8) a dangerous wild animal owned by and in the possession, custody, or control of a college or university solely as a mascot for the college or university;

(9) a dangerous wild animal while being transported in interstate commerce through the state in compliance with the Animal Welfare Act (7 U.S.C. Section 2131 et seq.) and its subsequent amendments and the regulations adopted under that Act;

(10) a nonhuman primate owned by and in the control and custody of a person whose only business is supplying nonhuman primates directly and exclusively to biomedical research facilities and who holds a Class "A" or Class "B" dealer's license issued by the secretary of agriculture of the United States under the Animal Welfare Act (7 U.S.C. Section 2131 et seq.) and its subsequent amendments;

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

- (11) a dangerous wild animal that is:
  - (A) owned by or in the possession, control, or custody of a person who is a participant in a species survival plan of the Association of Zoos and Aquariums for that species; and
  - (B) an integral part of that species survival plan; ~~and~~
- (12) in a county west of the Pecos River that has a population of less than 25,000, a cougar, bobcat, or coyote in the possession, custody, or control of a person that has trapped the cougar, bobcat, or coyote as part of a predator or depredation control activity; and
- (13) an organization that is an accredited member of the Zoological Association of America. [FA5]

No equivalent provision.

SECTION \_\_. (a) Subchapter B, Chapter 232, Local Government Code, is amended by adding Section 232.045 to read as follows:  
Sec. 232.045. APPLICABILITY OF INFRASTRUCTURE REQUIREMENTS TO LOTS UNDEVELOPED FOR 25 YEARS OR MORE. (a) This section applies only to a county with a population of more than 800,000 that is adjacent to an international border.  
(b) A commissioners court by order may implement a process:

- (1) applicable to a subdivision in which 50 percent or more of the lots are undeveloped or unoccupied on or after the 25th anniversary of the date the plat for the subdivision was recorded with the county; and
- (2) through which the county, to the extent practicable, may apply to the subdivision more current street, road, drainage, and other infrastructure requirements.

(c) A regulation or standard adopted by a county under this

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

section must be no less stringent than the minimum standards and other requirements under the model rules for safe and sanitary water supply and sewer services adopted under Section 16.343, Water Code, and any other minimum public safety standards that would otherwise be applicable to the subdivision.

(d) A regulation or standard adopted by a county under this section applies only to a lot that is owned by an individual, firm, corporation, or other legal entity that directly or indirectly offers lots for sale or lease as part of a common promotional plan in the ordinary course of business, and each regulation or standard must expressly state that limitation. For the purposes of this subsection, "common promotional plan" means a plan or scheme of operation undertaken by a person or a group acting in concert, either personally or through an agent, to offer for sale or lease more than two lots when the land is:

- (1) contiguous or part of the same area of land; or
- (2) known, designated, or advertised as a common unit or by a common name.

(b) The county may not apply an order adopted under Section 232.045, Local Government Code, as added by this Act, to a subdivision that is the subject of a judicial proceeding pending on May 1, 2015, to determine whether the subdivision is subject to a valid and existing subdivision plat. [FA21]

SECTION \_\_. Section 391.006, Local Government Code, is amended by amending Subsection (c) and adding Subsection (d) to read as follows:

(c) The governing body of a commission of a region that is consistent with the geographic boundaries of a state planning

No equivalent provision.



**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

region shall offer an ex officio, nonvoting membership on the governing body to each [a] member of the legislature who represents a district located wholly or partly in the region of the commission.

(d) An ex officio member is not counted for purposes of determining a quorum. [FA14]

No equivalent provision.

SECTION \_\_. Section 501.159, Local Government Code is amended by adding Subsection (c) to read as follows:

(c) A corporation described by Section 501.107(a)(1) may issue bonds to finance a water project regardless of whether a request required by Subsection (a) has been made. [FA16]

No equivalent provision.

SECTION \_\_.Section 501.159, Local Government Code, is amended by adding Subsection (c) to read as follows:

(c) A corporation described by Section 501.107(a)(1) may issue bonds to finance a water pipeline project regardless of whether a request required by Subsection (a) has been made. [FA17]

No equivalent provision.

SECTION \_\_. Section 21.047, Property Code, is amended by adding Subsections (a-1) and (a-2) to read as follows:

(a-1) If the amount of damage awarded by the special commissioners is at least 20 percent greater than the amount the condemnor offered to pay before the proceedings began or if the commissioners' award is appealed and a court awards damages in an amount that is at least 20 percent greater than the amount the condemnor offered to pay before the proceedings began, the condemnor shall pay:

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(1) all costs as provided by Subsection (a); and  
(2) subject to Subsection (a-2), any reasonable attorney's fees and other professional fees incurred by the property owner in connection with the eminent domain proceeding.  
(a-2) A property owner who is awarded attorney's fees by the special commissioners under Subsection (a-1) is not entitled to attorney's fees related to an award that is appealed by the property owner. [FA13]

No equivalent provision.

SECTION \_\_. Section 21.101, Property Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) In this section, "actual progress" means the completion of three [two] or more of the following actions:

(1) the performance of a significant amount of labor to develop the property or other property acquired for the same public use project for which the property owner's property was acquired;

(2) the provision of a significant amount of materials to develop the property or other property acquired for the same public use project for which the property owner's property was acquired;

(3) the hiring of and performance of a significant amount of work by an architect, engineer, or surveyor to prepare a plan or plat that includes the property or other property acquired for the same public use project for which the property owner's property was acquired;

(4) application for state or federal funds to develop the property or other property acquired for the same public use project for which the property owner's property was acquired;  
or

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(5) application for a state or federal permit to develop the property or other property acquired for the same public use project for which the property owner's property was acquired. (b-1) Notwithstanding Subsection (b), for a navigation district or port authority, "actual progress" means:  
(1) the completion of one action described by Subsection (b); and  
(2) [; (6) the acquisition of a tract or parcel of real property adjacent to the property for the same public use project for which the owner's property was acquired; or  
[(7) for a governmental entity,] the adoption by a majority of the entity's governing body at a public hearing of a development plan for a public use project that indicates that the entity will not complete more than one action described by Subsection (b) [Subdivisions (1)-(6)] before the 10th anniversary of the date of acquisition of the property. [FA13]

No equivalent provision.

SECTION \_\_. Section 21.047, Property Code, as amended by this Act, applies only to an eminent domain proceeding commenced on or after the effective date of this Act. An eminent domain proceeding commenced before the effective date of this Act is governed by the law applicable to the proceeding immediately before the effective date of this Act, and that law is continued in effect for that purpose. [FA13]

No equivalent provision.

SECTION \_\_. Section 21.101, Property Code, as amended by this Act, applies only to a real property interest acquired in connection with a condemnation proceeding in which the petition is filed on or after the effective date of this Act. A real property interest acquired in connection with a

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

condemnation proceeding in which the petition is filed before the effective date of this Act is governed by the law in effect immediately before that date, and that law is continued in effect for that purpose. [FA13]

No equivalent provision.

SECTION \_\_. Subchapter B, Chapter 7805, Special District Local Laws Code, is amended by adding Section 7805.054 to read as follows:

Sec. 7805.054. QUORUM; VOTE REQUIRED. A quorum consists of three directors. An action or recommendation of the board requiring a vote of the board is not valid unless:

(1) the action or recommendation is approved by a record vote taken at a meeting of the board with a quorum present; and

(2) the action or recommendation receives at least three affirmative votes by board members. [FA7]

No equivalent provision.

SECTION \_\_. (a) All governmental and proprietary actions and proceedings of the Irving Flood Control District Section III of Dallas County taken before the effective date of this Act are validated, ratified, and confirmed in all respects as of the dates on which they occurred.

(b) This section does not apply to any matter that on the effective date of this Act:

(1) is involved in litigation if the litigation ultimately results in the matter being held invalid by a final court judgment; or

(2) has been held invalid by a final court judgment. [FA7]

No equivalent provision.

SECTION 56. Effective January 1, 2016, Section 11.1825,

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

Tax Code, is amended by amending Subsections (s) and (v) and adding Subsection (z) to read as follows:

(s) Unless otherwise provided by the governing body of a taxing unit any part of which is located in a county with a population of at least 1.8 million under Subsection (x) or as provided by Subsection (z), for property described by Subsection (f)(1), the amount of the exemption under this section from taxation is 50 percent of the appraised value of the property.

(v) Except as provided by Subsection (z), notwithstanding ~~Notwithstanding~~ any other provision of this section, an organization may not receive an exemption from taxation of property described by Subsection (f)(1) by a taxing unit any part of which is located in a county with a population of at least 1.8 million unless the exemption is approved by the governing body of the taxing unit in the manner provided by law for official action.

(z) Notwithstanding any other provision of this section, an owner of real property described by Subsection (f)(1) or (2) is entitled to an exemption under this section from taxation of 100 percent of the appraised value of the property regardless of whether the owner meets the requirements of Subsection (b) or of Subsections (c) and (d) if:

(1) the owner is exempt from federal income taxation under Section 501(a), Internal Revenue Code of 1986, as amended, by being listed as an exempt entity under Section 501(c)(3) of that code and the owner otherwise qualifies for an exemption for the property under this section;

(2) the property was previously owned by a local government corporation created by a municipality under Chapter 431, Transportation Code, or Chapter 394, Local Government Code, or a predecessor statute for purposes that include

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

promoting, developing, encouraging, and maintaining affordable housing in a tax increment financing reinvestment zone created by the municipality under Chapter 311, Tax Code; and  
(3) the property is located in a county with a population of at least four million.

No equivalent provision.

SECTION \_\_. Effective September 1, 2015, Subchapter G, Chapter 13, Water Code, is amended by adding Section 13.2541 to read as follows:  
Sec. 13.2541. APPOINTMENT OF TEMPORARY MANAGER. (a) Utility commission staff shall file a petition to appoint a temporary manager of an investor-owned water utility if the staff has reason to believe:  
(1) the utility has repeated or continuous violations of commission rules or of the commission's predecessor agency rules regarding well capacity, storage tank capacity, service pump capacity, or pressure tank capacity for at least six years before the petition is filed;  
(2) neither an owner of the utility nor the utility has borrowed money from a federally insured lending institution to remedy a violation of a rule described by Subdivision (1);  
(3) the utility serves more than 1,000 connections but is made up of less than five public water systems;  
(4) the utility does not serve customers who are located in a municipality; and  
(5) the utility is located in a county with a population of more than 2.7 million.  
(b) If, after notice and an opportunity for a hearing, the utility commission finds that the facts alleged in the petition are true, the utility commission may appoint a temporary manager and

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

may also refer the investor-owned utility to the attorney general for the appointment of a receiver under Section 13.412. The utility commission shall issue its final order not more than 180 days after the date the petition is filed.

(c) If the utility commission appoints a temporary manager, the manager shall have all the power and authority provided by Section 13.4132(c). Not more than 120 days after the appointment of the manager, the manager shall recommend to the utility commission whether or not the utility's certificate should be revoked. If the manager recommends revocation, the manager shall recommend one or more retail public utilities that could provide service to the certificated area.

(d) If a court appoints a receiver for the utility, the temporary manager's appointment ends when the receiver executes the bond required by Section 13.412. The temporary manager is eligible to be appointed as the receiver.

(e) Not more than 90 days after the appointment of a receiver by the court, the receiver shall recommend to the utility commission whether or not the utility's certificate of convenience and necessity should be revoked. If the receiver recommends revocation, the receiver shall recommend one or more retail public utilities that could provide service to the certificated area. The receiver may recommend any other remedy authorized by this chapter.

(f) If the receiver recommends revocation, the utility commission staff shall file a petition to revoke the certificate of convenience and necessity under Section 13.254. [FA24]

No equivalent provision.

SECTION \_\_. (a) Section 4B, Chapter 628, Acts of the 68th Legislature, Regular Session, 1983, is amended by adding Subdivision (16) to read as follows:

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(16) If the district enters into a tax abatement agreement with the owner of single-family residential property to exempt a portion of the taxable value of the property from taxation as authorized by Subdivision (7)(B) of this section, the tax assessor-collector for the district or a person designated by the tax assessor-collector may file an application for the exemption on behalf of the property owner with the chief appraiser for the appraisal district in which the property is located.

(b) All governmental and proprietary actions of the Dallas County Utility and Reclamation District taken before the effective date of this Act are validated, ratified, and confirmed in all respects as if the actions had been taken as authorized by law.

(c) Subsection (b) of this section does not apply to any matter that on the effective date of this Act:

(1) is involved in litigation if the litigation ultimately results in the matter being held invalid by a final court judgment; or

(2) has been held invalid by a final court judgment. [FA8]

No equivalent provision.

SECTION 58. The changes in law made by this Act in amending Chapter 55, Code of Criminal Procedure, and in amending Section 124.001(b), Government Code, apply to the expunction of arrest records and files for an arrested person who successfully completes a veterans treatment court program under Chapter 124, Government Code, or former law, before, on, or after September 1, 2015, regardless of when the underlying arrest occurred. [Deleted by FA3(9)]

No equivalent provision.

SECTION 59. For a person who is arrested for a Class B or



**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

Class C misdemeanor and who is entitled to expunction under Article 55.01(a)(2)(A)(ii)(a), Code of Criminal Procedure, as added by this Act, based on a successful completion of a veterans treatment court program under Chapter 124, Government Code, or former law, before the effective date of this Act, notwithstanding the 30-day time limit provided for the court to enter an automatic order of expunction under Section 1a(a-1), Article 55.02, Code of Criminal Procedure, as added by this Act, the court shall enter an order of expunction for the person as soon as practicable after the court receives written notice from any party to the case about the person's entitlement to the expunction. [Deleted by FA3(9)]

No equivalent provision.

SECTION 60. The change in law made by this Act by amending Section 124.002, Government Code, applies to a person who, on or after September 1, 2015, enters a veterans treatment court program under Chapter 124, Government Code, regardless of whether the person committed the offense for which the person enters the program before, on, or after the effective date of this Act. [FA3(10)]

No equivalent provision.

SECTION 61. The change in law made by this Act in adding Section 124.006, Government Code, applies to a person who, on or after September 1, 2015, is under the supervision of a veterans treatment court program.

No equivalent provision.

SECTION 62. Section 11.1825, Tax Code, as amended by this Act, applies only to ad valorem taxes imposed for a tax year beginning on or after January 1, 2016.

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

No equivalent provision.

SECTION \_\_. (a) In this section, "critical infrastructure" means an electrical power generating facility, substation, switching station, electrical control center, or electrical transmission or distribution facility.

(b) The Public Utility Commission of Texas shall instruct the independent organization certified under Section 39.151, Utilities Code, to commission a study on the security of the Texas electric grid and the computer systems and networks related to it. On or before September 1, 2015, the independent organization must name persons to conduct the study who have expertise in:

- (1) electromagnetic pulse disturbances;
- (2) cybersecurity;
- (3) geomagnetic disturbances;
- (4) electric power transmission and distribution system security; and
- (5) terrorism.

(c) Through the study the independent organization must:

- (1) identify the critical infrastructure that is at risk from electromagnetic, geomagnetic, terrorist, and cyber-attack threats;
- (2) evaluate technologies available to improve the resiliency of critical infrastructure against electromagnetic, geomagnetic, terrorist, or cyber-attack threats;
- (3) evaluate the capabilities of critical infrastructure to recover from electromagnetic, geomagnetic, terrorist, or cyber-attack threats;
- (4) evaluate measures to secure the electric grid and associated computer systems and networks against damage

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

against electromagnetic, geomagnetic, terrorist, and cyber-attack threats; and

(5) assess the projected cost of enhancements to critical infrastructure that are necessary to secure adequately against electromagnetic, geomagnetic, terrorist, and cyber-attack threats.

(d) Information collected by the independent organization for the study that is related to the security of the electric grid is confidential and is not subject to disclosure under Chapter 552, Government Code.

(e) Not later than December 1, 2016, the Public Utility Commission of Texas shall provide a report on the results of the study required by this section to the governor, the lieutenant governor, the speaker of the house of representatives, and each standing committee of the senate and the house of representatives with primary jurisdiction over the electric grid and emergency management. [FA28]

No equivalent provision.

SECTION \_\_. Subchapter H, Chapter 51, Government Code, is amended by adding Section 51.711 to read as follows:

Sec. 51.711. ADDITIONAL FILING FEE FOR CIVIL CASES IN HIDALGO COUNTY. (a) This section applies only to district courts, statutory probate courts, and county courts at law in Hidalgo County.

(b) Except as otherwise provided by this section and in addition to all other fees authorized or required by other law, the clerk of a court shall collect a filing fee of not more than \$20 in each civil case filed in the court to be used for the construction, renovation, or improvement of the facilities that house the Hidalgo County civil courts.

(c) Court fees due under this section shall be collected in the

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

same manner as other fees, fines, or costs are collected in the case.

(d) The clerk shall send the fees collected under this section to the county treasurer or to any other official who discharges the duties commonly assigned to the county treasurer at least as frequently as monthly. The treasurer or other official shall deposit the fees in a special account in the county treasury dedicated to the construction, renovation, or improvement of the facilities that house the courts collecting the fee.

(e) This section applies only to fees for a 12-month period beginning October 1, if the commissioners court:

(1) adopts a resolution authorizing a fee of not more than \$20;

(2) adopts a resolution requiring the county to spend one dollar for the construction, renovation, or improvement of the court facilities for each dollar spent from the special account dedicated to that purpose; and

(3) files the resolutions with the county treasurer or with any other official who discharges the duties commonly assigned to the county treasurer not later than September 1 immediately preceding the first 12-month period during which the fees are to be collected.

(f) A resolution adopted under Subsection (e) continues from year to year until October 1, 2030, allowing the county to collect fees under the terms of this section until the resolution is rescinded.

(g) The commissioners court may rescind a resolution adopted under Subsection (e) by adopting a resolution rescinding the resolution and submitting the rescission resolution to the county treasurer or to any other official who discharges the duties commonly assigned to the county treasurer not later than September 1 preceding the beginning of the first day of the county fiscal year. The commissioners

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

court may adopt an additional resolution in the manner provided by Subsection (e) after rescinding a previous resolution adopted under that subsection.

(h) A fee established under a particular resolution is abolished on the earlier of:

(1) the date a resolution adopted under Subsection (e) is rescinded as provided by Subsection (g); or

(2) October 1, 2030.

(i) The county may make the required expenditure described by Subsection (e)(2) at any time, regardless of when the expenditure from the special account occurs. [FA9]

No equivalent provision.

SECTION \_\_. Subchapter D, Chapter 101, Government Code, is amended by adding Section 101.061192 to read as follows:

Sec. 101.061192. ADDITIONAL DISTRICT COURT FEES FOR COURT FACILITIES: GOVERNMENT CODE. The clerk of a district court in Hidalgo County shall collect an additional filing fee of not more than \$20 under Section 51.711 in civil cases to fund the construction, renovation, or improvement of court facilities, if authorized by the county commissioners court. [FA9]

No equivalent provision.

SECTION \_\_. Subchapter E, Chapter 101, Government Code, is amended by adding Section 101.081191 to read as follows:

Sec. 101.081191. ADDITIONAL STATUTORY COUNTY COURT FEES FOR COURT FACILITIES: GOVERNMENT CODE. The clerk of a statutory county court in Hidalgo County shall collect an additional filing fee of not more than \$20 under Section 51.711 in civil cases to

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

fund the construction, renovation, or improvement of court facilities, if authorized by the county commissioners court.  
[FA9]

No equivalent provision.

SECTION \_\_. Subchapter F, Chapter 101, Government Code, is amended by adding Section 101.10119 to read as follows:  
Sec. 101.10119. ADDITIONAL STATUTORY PROBATE COURT FEES FOR COURT FACILITIES: GOVERNMENT CODE. The clerk of a statutory probate court in Hidalgo County shall collect an additional filing fee of not more than \$20 under Section 51.711 in civil cases to fund the construction, renovation, or improvement of court facilities, if authorized by the county commissioners court.  
[FA9]

No equivalent provision.

SECTION \_\_. Section 118.011, Local Government Code, is amended by adding Subsection (g) to read as follows:  
(g) The county clerk of a county shall, if the commissioners court of the county adopts the fee, collect the following fee from any person:  
Real Property Records Filing Fee (Sec. 118.0131) . . . . .  
not more than \$10 [FA9]

No equivalent provision.

SECTION \_\_. Subchapter B, Chapter 118, Local Government Code, is amended by adding Section 118.0131 to read as follows:  
Sec. 118.0131. OPTIONAL RECORDING FEES FOR COURT FACILITIES: HIDALGO COUNTY. The county clerk of Hidalgo County may assess an additional fee not to

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

exceed \$10 for real property records filing to fund the construction, renovation, or improvement of court facilities, if authorized by the commissioners court of the county. [FA9]

No equivalent provision.

SECTION \_\_. The changes in law made by Sections \_\_\_\_ through \_\_\_\_ of this Act apply only to a fee that becomes payable on or after the effective date of this Act. A fee that becomes payable before that date is governed by the law in effect when the fee became payable, and the former law is continued in effect for that purpose. [FA9]

No equivalent provision.

SECTION \_\_. Subchapter A, Chapter 51, Local Government Code, is amended by adding Section 51.004 to read as follows:

Sec. 51.004. SPECIAL RIGHT OF ACCESS TO INFORMATION BY MUNICIPAL OFFICERS. (a) In this section:

(1) "Municipal governmental body":

(A) means:

(i) the governing body of a municipality;

(ii) a deliberative body that has rulemaking or quasi-judicial power and that is classified as a department, agency, or political subdivision of a municipality; or

(iii) the part, section, or portion of a municipality described by Section 552.003(1)(A)(xii), Government Code, that is a governmental body for purposes of Chapter 552, Government Code; and

(B) does not include:

(i) the judiciary; or

(ii) a private entity that spends or is supported wholly or

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

partly by public funds.

(2) "Municipal officer" means:

(A) an elected or appointed officer who supervises, manages, or controls a municipal governmental body; or

(B) a member of a board, a commission, a committee, or another body consisting of more than one individual elected or appointed to supervise, manage, or control a municipal governmental body.

(3) "Public information" has the meaning assigned by Section 552.002, Government Code.

(b) A municipal officer has a right of access to information that is for purposes of Chapter 552, Government Code, public information of the municipal governmental body that the municipal officer oversees.

(c) A municipal governmental body on request by a municipal officer who oversees the governmental body shall provide public information, including confidential information or information otherwise excepted from disclosure, to the municipal officer in accordance with Chapter 552, Government Code.

(d) A municipal governmental body, by providing public information under this section that is confidential or otherwise excepted from required disclosure under law, does not waive or affect the confidentiality of the information for purposes of state or federal law or waive the right of the municipal governmental body to assert exceptions to required disclosure of the information in the future. The municipal governmental body may require the requesting municipal officer or a designated employee of the requesting municipal officer who will view or handle information that is received under this section and that is confidential under law or otherwise excepted from disclosure to sign a confidentiality agreement



**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

that covers the information and requires that:

(1) the information not be disclosed outside the office of the requesting municipal officer, or within that office for purposes other than the purpose for which it was received;

(2) the information be labeled as confidential;

(3) the information be kept securely; or

(4) the number of copies made of the information or the notes taken from the information that implicate the confidential nature of the information be controlled, with all copies or notes that are not destroyed or returned to the municipal governmental body remaining confidential and subject to the confidentiality agreement.

(e) An individual required by a municipal governmental body to sign a confidentiality agreement under Subsection (d) may seek a decision as provided by Subsection (f) about whether the information covered by the confidentiality agreement is confidential under law or otherwise excepted from disclosure. A confidentiality agreement signed under Subsection (d) is void to the extent that the agreement covers information that is finally determined under Subsection (f) to not be confidential under law or otherwise excepted from disclosure.

(f) A municipal officer may seek a decision from the attorney general about whether the information covered by the confidentiality agreement is confidential under law or otherwise excepted from disclosure. The attorney general by rule shall establish procedures and deadlines for receiving information necessary to determine whether the information covered by the confidentiality agreement is confidential under law or otherwise excepted from disclosure and for receiving briefs from the requesting municipal officer, the municipal governmental body, and any other interested person. The attorney general shall promptly render a decision requested

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

under this subsection, determining whether the information covered by the confidentiality agreement is confidential under law or otherwise excepted from disclosure, not later than the 45th business day after the date the attorney general receives the request for a decision under this subsection. If the attorney general is unable to issue the decision within the 45-day period, the attorney general may extend the period for issuing the decision by an additional 10 business days by informing the municipal governmental body and the requesting municipal officer, during the original 45-day period, of the reason for the delay. The attorney general shall issue a written decision and provide a copy of the decision to the requesting municipal officer, the municipal governmental body, and any interested person who submitted necessary information or a brief to the attorney general under this subsection. The requesting municipal officer or the municipal governmental body may appeal a decision of the attorney general under this subsection to a district court in a county in which the municipality is located. A person may appeal a decision of the attorney general under this subsection to a district court in a county in which the municipality is located if the person claims a proprietary interest in the information affected by the decision or a privacy interest in the information that a confidentiality law or judicial decision is designed to protect.

(g) This section does not affect:

- (1) the right of a municipal officer to obtain information from the municipal governmental body under other law;
- (2) the procedures under which the information is obtained under other law; or
- (3) the use that may be made of the information obtained under other law.

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(h) This section does not grant authority to a municipal governmental body to withhold information from municipal officers. [FA10]

No equivalent provision.

SECTION \_\_. Chapter 89, Local Government Code, is amended by adding Section 89.007 to read as follows:

Sec. 89.007. SPECIAL RIGHT OF ACCESS TO INFORMATION BY OFFICERS OF COUNTIES, COUNTY BOARDS OF SCHOOL TRUSTEES, AND COUNTY BOARDS OF EDUCATION. (a) In this section:

(1) "County governmental body":

(A) means:

(i) a county commissioners court;

(ii) a deliberative body that has rulemaking or quasi-judicial power and that is classified as a department, agency, or political subdivision of a county;

(iii) a county board of school trustees;

(iv) a county board of education; or

(v) the part, section, or portion of a county, county board of school trustees, or county board of education described by Section 552.003(1)(A)(xii), Government Code, that is a governmental body for purposes of Chapter 552, Government Code; and

(B) does not include:

(i) the judiciary; or

(ii) a private entity that spends or is supported wholly or partly by public funds.

(2) "County officer" means:

(A) an elected or appointed officer who supervises, manages, or controls a county governmental body; or

(B) a member of a board, a commission, a committee, or

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

another body consisting of more than one individual elected or appointed to supervise, manage, or control a county governmental body.

(3) "Public information" has the meaning assigned by Section 552.002, Government Code.

(b) A county officer has a right of access to information that is for purposes of Chapter 552, Government Code, public information of the county governmental body that the county officer oversees.

(c) A county governmental body on request by the county officer who oversees the governmental body shall provide public information, including confidential information or information otherwise excepted from disclosure, to the county officer in accordance with Chapter 552, Government Code.

(d) A county governmental body, by providing public information under this section that is confidential or otherwise excepted from required disclosure under law, does not waive or affect the confidentiality of the information for purposes of state or federal law or waive the right of the county governmental body to assert exceptions to required disclosure of the information in the future. The county governmental body may require the requesting county officer or a designated employee of the requesting county officer who will view or handle information that is received under this section and that is confidential under law or otherwise excepted from disclosure to sign a confidentiality agreement that covers the information and requires that:

(1) the information not be disclosed outside the office of the requesting county officer, or within that office for purposes other than the purpose for which it was received;

(2) the information be labeled as confidential;

(3) the information be kept securely; or

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(4) the number of copies made of the information or the notes taken from the information that implicate the confidential nature of the information be controlled, with all copies or notes that are not destroyed or returned to the county governmental body remaining confidential and subject to the confidentiality agreement.

(e) An individual required by a county governmental body to sign a confidentiality agreement under Subsection (d) may seek a decision as provided by Subsection (f) about whether the information covered by the confidentiality agreement is confidential under law or otherwise excepted from disclosure. A confidentiality agreement signed under Subsection (d) is void to the extent that the agreement covers information that is finally determined under Subsection (f) to not be confidential under law or otherwise excepted from disclosure.

(f) A county officer may seek a decision from the attorney general about whether the information covered by the confidentiality agreement is confidential under law or otherwise excepted from disclosure. The attorney general by rule shall establish procedures and deadlines for receiving information necessary to determine whether the information covered by the confidentiality agreement is confidential under law or otherwise excepted from disclosure and for receiving briefs from the requesting county officer, the county governmental body, and any other interested person. The attorney general shall promptly render a decision requested under this subsection, determining whether the information covered by the confidentiality agreement is confidential under law or otherwise excepted from disclosure, not later than the 45th business day after the date the attorney general receives the request for a decision under this subsection. If the attorney general is unable to issue the decision within the 45-

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

day period, the attorney general may extend the period for issuing the decision by an additional 10 business days by informing the county governmental body and the requesting county officer, during the original 45-day period, of the reason for the delay. The attorney general shall issue a written decision and provide a copy of the decision to the requesting county officer, the county governmental body, and any interested person who submitted necessary information or a brief to the attorney general under this subsection. The requesting county officer or the county governmental body may appeal a decision of the attorney general under this subsection to a district court in the county. A person may appeal a decision of the attorney general under this subsection to a district court in the county if the person claims a proprietary interest in the information affected by the decision or a privacy interest in the information that a confidentiality law or judicial decision is designed to protect.

(g) This section does not affect:

(1) the right of a county officer to obtain information from a county governmental body under other law;

(2) the procedures under which the information is obtained under other law; or

(3) the use that may be made of the information obtained under other law.

(h) This section does not grant authority to a county governmental body to withhold information from county officers. [FA10]

No equivalent provision.

SECTION \_\_. Chapter 201, Local Government Code, is amended by adding Section 201.010 to read as follows:  
Sec. 201.010. SPECIAL RIGHT OF ACCESS TO

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

DISTRICT INFORMATION BY DISTRICT DIRECTOR.

(a) In this section:

(1) "Board" means the governing body of a special district.

(2) "Director" means a board member.

(3) "Public information" has the meaning assigned by Section 552.002, Government Code.

(4) "Special district" means a political subdivision of this state that has a limited geographic area and is created by local law or under general law for a special purpose. The term does not include a school district or hospital district.

(b) A director of a special district has a right of access to information that is public information of the district.

(c) A special district on request by a director of the district shall provide public information, including confidential information or information otherwise excepted from disclosure, to the director in accordance with Chapter 552, Government Code.

(d) A special district, by providing public information to a director under this section that is confidential or otherwise excepted from required disclosure under law, does not waive or affect the confidentiality of the information for purposes of state or federal law or waive the right of the district to assert exceptions to required disclosure of the information in the future. The district may require the requesting director or a designated district employee of the requesting director who will view or handle information that is received under this section and that is confidential under law or otherwise excepted from disclosure to sign a confidentiality agreement that covers the information and requires that:

(1) the information not be disclosed outside the office of the requesting director or within that office for purposes other than the purpose for which it was received;

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

- (2) the information be labeled as confidential;
- (3) the information be kept securely; or
- (4) the number of copies made of the information or the notes taken from the information that implicate the confidential nature of the information be controlled, with all copies or notes that are not destroyed or returned to the district remaining confidential and subject to the confidentiality agreement.
- (e) If a director or a designated district employee is required by a special district to sign a confidentiality agreement under Subsection (d), the director may seek a decision as provided by Subsection (f) about whether the information covered by the confidentiality agreement is confidential under law or otherwise excepted from disclosure. A confidentiality agreement signed under Subsection (d) is void to the extent that the agreement covers information that is finally determined under Subsection (f) to not be confidential under law or otherwise excepted from disclosure.
- (f) A director may seek a decision from the attorney general about whether the information covered by the confidentiality agreement is confidential under law or otherwise excepted from disclosure. The attorney general by rule shall establish procedures and deadlines for receiving information necessary to determine whether the information covered by the confidentiality agreement is confidential under law or otherwise excepted from disclosure and for receiving briefs from the requesting director, the special district, and any other interested person. The attorney general shall render the decision not later than the 55th business day after the date the attorney general receives the request for a decision. If the attorney general is unable to issue the decision within the 55-day period, the attorney general may during that 55-day period



**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

extend the period for issuing the decision by an additional 10 business days by informing the director, the special district, and any interested person who submitted necessary information or a brief to the attorney general of the reason for the delay. The attorney general shall issue a written decision and provide a copy of the decision to the requesting director, the special district, and any interested person who submitted necessary information or a brief to the attorney general under this subsection. The requesting director or the special district may appeal a decision of the attorney general under this subsection to a district court. A person may appeal a decision of the attorney general under this subsection to a district court if the person claims a proprietary interest in the information affected by the decision or a privacy interest in the information that a confidentiality law or judicial decision is designed to protect.

(g) This section does not affect:

(1) the right of a director of a special district to obtain information from the district under other law;

(2) the procedures under which the information is obtained under other law; or

(3) the use that may be made of the information obtained under other law.

(h) This section does not grant authority to a special district to withhold information from a director of the district. [FA10]

No equivalent provision.

SECTION \_\_. Section 51.004, Local Government Code, as added by this Act, applies only to a request for information by a municipal officer that is made on or after the effective date of this Act. A request for information made before the effective date of this Act is governed by the applicable law in

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

effect immediately before the effective date of this Act, and that law is continued in effect for that purpose. [FA10]

No equivalent provision.

SECTION \_\_. Section 89.007, Local Government Code, as added by this Act, applies only to a request for information by a county officer that is made on or after the effective date of this Act. A request for information made before the effective date of this Act is governed by the applicable law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose. [FA10]

No equivalent provision.

SECTION \_\_. Section 201.010, Local Government Code, as added by this Act, applies only to a request for information by a director of a special district that is made on or after the effective date of this Act. A request for information made before the effective date of this Act is governed by the applicable law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose. [FA10]

No equivalent provision.

SECTION \_\_. Chapter 418, Government Code, is amended by adding Subchapter F-1 to read as follows:  
SUBCHAPTER F-1. NATURAL DISASTER HOUSING RECOVERY  
Sec. 418.131. DEFINITIONS. In this subchapter:  
(1) "Center" means the Hazard Reduction and Recovery Center at Texas A&M University.  
(2) "Designated state agency" means a state agency designated by the governor as responsible for long-term natural disaster

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

recovery under Section 418.132.

(3) "Local government" means a county, municipality, or council of government.

(4) "Plan" means a local housing recovery plan developed under Section 418.133.

Sec. 418.132. DESIGNATED STATE AGENCY. (a) The governor shall designate a state agency to receive and administer federal and state funds appropriated for long-term natural disaster recovery.

(b) The designated state agency shall:

(1) collaborate with the Texas Division of Emergency Management and the Federal Emergency Management Agency to secure reimbursement for housing needs in areas affected by natural disasters;

(2) seek prior approval from the Federal Emergency Management Agency and the United States Department of Housing and Urban Development for the immediate post-disaster implementation of local housing recovery plans approved by the governor under Section 418.136; and

(3) maintain a division with adequate staffing and other administrative support to carry out the agency's duties relating to long-term natural disaster recovery.

(c) The designated state agency may adopt rules as necessary to implement the agency's duties under this subchapter.

Sec. 418.133. LOCAL HOUSING RECOVERY PLAN. (a) A local government may develop and adopt a local housing recovery plan to provide for the rapid and efficient construction of permanent replacement housing following a natural disaster.

(b) In developing the plan, a local government shall seek input from:

(1) stakeholders in the community, including residents, local

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

businesses, and community-based organizations; and  
(2) neighboring local governments.  
(c) A local government may submit a plan developed and adopted under Subsection (a) to the center for certification.  
Sec. 418.134. DUTIES OF HAZARD REDUCTION AND RECOVERY CENTER; PLAN CRITERIA AND CERTIFICATION. (a) The center shall review and certify plans submitted to the center by local governments.  
(b) The center shall establish criteria for certifying a plan. The center may not certify a plan unless the plan:  
(1) identifies areas in the local government's boundaries that are vulnerable to natural disasters;  
(2) identifies sources of post-disaster housing assistance and recovery funds;  
(3) provides procedures for rapidly responding to a natural disaster, including procedures for:  
(A) assessing and reporting housing damage, disaggregated by insured and uninsured losses, to the governor;  
(B) providing fair and efficient access to natural disaster recovery assistance for residents;  
(C) determining residents' eligibility for natural disaster recovery assistance;  
(D) educating residents about the rebuilding process and providing outreach and case management services; and  
(E) prequalifying and training local professionals needed for natural disaster recovery;  
(4) provides procedures to encourage residents to rebuild outside of the vulnerable areas identified under Subdivision (1);  
(5) provides procedures to maximize the use of local businesses, contractors, and supplies to rebuild to the extent possible;

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

- (6) provides procedures to maximize cost efficiency;
- (7) provides for the construction of permanent replacement housing for displaced residents as soon as possible after the natural disaster, with a goal of completion in not later than six months; and
- (8) complies with applicable state and federal law.
- (c) If the center determines that a plan does not meet the criteria prescribed by Subsection (b), the center shall identify the plan's deficiencies and assist the local government in revising the plan to meet the criteria.
- (d) The center shall provide training to local governments and community-based organizations on developing a plan. A local government that submits a plan to the center for certification under this section shall designate at least one representative to attend the center's training. The training must include information relating to:
  - (1) previous experiences with housing recovery from natural disasters;
  - (2) best practices for achieving rapid and efficient construction of permanent replacement housing;
  - (3) federal and state laws and regulations on natural disaster recovery;
  - (4) methods for identifying and planning for vulnerable areas and populations before a natural disaster; and
  - (5) cost-effective land use and building practices.
- (e) The center shall create and maintain mapping and data resources related to natural disaster recovery and planning, including the Texas Coastal Communities Planning Atlas.
- (f) The center shall assist a local government on request in identifying areas that are vulnerable to natural disasters.
- (g) The center shall provide recommendations to the Texas Department of Insurance regarding the development of

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

policies, procedures, and education programs to enable the quick and efficient reporting and settling of housing claims related to natural disasters.

(h) The center may seek and accept gifts, grants, donations, and other funds to assist the center in fulfilling its duties under this section.

Sec. 418.135. REVIEW OF LOCAL HOUSING RECOVERY PLAN BY AGENCY. (a) The center shall submit to the designated state agency a plan certified by the center under Section 418.134.

(b) The designated state agency shall review the plan and consult with the center and the local government about any potential improvements the agency may identify. In reviewing the plan, the agency shall give deference to the local government regarding matters in the local government's discretion.

(c) On completion of the review, the designated state agency shall accept the plan unless the agency determines that the plan does not:

(1) satisfy the criteria for a certified plan under Section 418.134(b);

(2) provide for the rapid and efficient construction of permanent replacement housing; or

(3) comply with applicable state and federal law.

Sec. 418.136. APPROVAL BY GOVERNOR. (a) The designated state agency shall submit to the governor for approval or rejection a plan that the agency accepts under Section 418.135.

(b) If the governor rejects a plan, the governor must provide a written explanation of the reasons for the rejection.

(c) A local government, in consultation with the center and the designated state agency, may revise a plan rejected by the

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

governor under this section and resubmit the plan to the governor for approval.

Sec. 418.137. EFFECT OF APPROVAL. (a) A plan approved by the governor under Section 418.136 is valid for four years and may be implemented during that period without further approval if a natural disaster occurs.

(b) In accordance with rules adopted by the designated state agency, on or before expiration, the plan may be reviewed by the center and the agency, updated if necessary, and resubmitted to the governor for approval or rejection. [FA22]

No equivalent provision.

SECTION \_\_. Not later than January 1, 2016, the governor shall designate a state agency as the agency responsible for long-term natural disaster recovery as required by Section 418.132 Government Code, as added by this Act, and shall file that designation with the secretary of state for publication in the Texas Register. [FA22]

No equivalent provision.

SECTION \_\_. Subchapter H, Chapter 51, Government Code, is amended by adding Section 51.712 to read as follows:

Sec. 51.712. ADDITIONAL FILING FEE FOR CIVIL CASES IN KAUFMAN COUNTY. (a) This section applies only to district courts, statutory probate courts, county courts at law, and justice courts in Kaufman County.

(b) Except as otherwise provided by this section and in addition to all other fees authorized or required by other law, the clerk of a court shall collect a filing fee of not more than \$15 in each civil case filed in the court to be used for the construction, renovation, or improvement of the facilities that house the Kaufman courts collecting the fee.

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(c) Court fees due under this section shall be collected in the same manner as other fees, fines, or costs are collected in the case.

(d) The clerk shall send the fees collected under this section to the county treasurer or to any other official who discharges the duties commonly assigned to the county treasurer at least as frequently as monthly. The treasurer or other official shall deposit the fees in a special account in the county treasury dedicated to the construction, renovation, or improvement of the facilities that house the courts collecting the fee.

(e) This section applies only to fees for a 12-month period beginning July 1, if the commissioners court:

(1) adopts a resolution authorizing a fee of not more than \$15; and

(2) files the resolution with the county treasurer or with any other official who discharges the duties commonly assigned to the county treasurer not later than June 1 immediately preceding the first 12-month period during which the fees are to be collected.

(f) A resolution adopted under Subsection (e) continues from year to year until July 1, 2030, allowing the county to collect fees under the terms of this section until the resolution is rescinded.

(g) The commissioners court may rescind a resolution adopted under Subsection (e) by adopting a resolution rescinding the resolution and submitting the rescission resolution to the county treasurer or to any other official who discharges the duties commonly assigned to the county treasurer not later than June 1 preceding the beginning of the first day of the county fiscal year. The commissioners court may adopt an additional resolution in the manner provided by Subsection (e) after rescinding a previous resolution under



**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

that subsection.

(h) A fee established under a particular resolution is abolished on the earlier of:

(1) the date a resolution adopted under Subsection (e) is rescinded as provided by Subsection (g); or

(2) July 1, 2030. [FA23]

No equivalent provision.

SECTION \_\_. Subchapter D, Chapter 101, Government Code, is amended by adding Section 101.061193 to read as follows:

Sec. 101.061193. ADDITIONAL DISTRICT COURT FEES FOR COURT FACILITIES: GOVERNMENT CODE. The clerk of a district court in Kaufman County shall collect an additional filing fee of not more than \$15 under Section 51.712, Government Code, in civil cases to fund the construction, renovation, or improvement of court facilities, if authorized by the county commissioners court. [FA23]

No equivalent provision.

SECTION \_\_. Subchapter E, Chapter 101, Government Code, is amended by adding Section 101.081196 to read as follows:

Sec. 101.081196. ADDITIONAL STATUTORY COUNTY COURT FEES FOR COURT FACILITIES: GOVERNMENT CODE. The clerk of a statutory county court in Kaufman County shall collect an additional filing fee of not more than \$15 under Section 51.712, Government Code, in civil cases to fund the construction, renovation, or improvement of court facilities, if authorized by the county commissioners court. [FA23]

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

No equivalent provision.

SECTION \_\_.101191 to read as follows:  
Sec. 101.101191. ADDITIONAL STATUTORY PROBATE COURT FEES FOR COURT FACILITIES: GOVERNMENT CODE. The clerk of a statutory probate court in Kaufman County shall collect an additional filing fee of not more than \$15 under Section 51.712, Government Code, in civil cases to fund the construction, renovation, or improvement of court facilities, if authorized by the county commissioners court. [FA23]

No equivalent provision.

SECTION \_\_. Subchapter H, Chapter 101, Government Code, is amended by adding Section 101.143 to read as follows:  
Sec. 101.143. ADDITIONAL JUSTICE COURT FEE FOR COURT FACILITIES COLLECTED BY CLERK. The clerk of a justice court in Kaufman County shall collect an additional filing fee of not more than \$15 under Section 51.712, Government Code, in civil cases to fund the construction, renovation, or improvement of court facilities, if authorized by the county commissioners court. [FA23]

No equivalent provision.

SECTION \_\_. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act dos not received the vote necessary for immediate effect, this Act takes effect September 1, 2015. [FA23]

No equivalent provision.

SECTION \_\_. Effective September 1, 2015, Section 60.039(a), Water Code, is amended to read as follows:

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(a) The commission may lease the surface of land for not more than 50 [~~30~~] years by the entry of an order on the minutes of the commission and the execution of a lease in the manner provided by the original order. The lease may not be extended beyond the 50-year [~~30-year~~] period by renewal, extension, or otherwise, except that the commission may extend a lease beyond a 50-year period for residential property located in a district in which at least 50 percent of the property is residential property. [FA26]

No equivalent provision.

SECTION \_\_. Effective September 1, 2015, Section 60.040, Water Code, is amended to read as follows:  
Sec. 60.040. PUBLICATION OF NOTICE FOR SALES AND LEASES IN EXCESS OF 50 [~~30~~] YEARS. Before making a sale or lease of land for more than 50 [~~30~~] years, the commission shall publish a notice in the manner provided in Section 60.035 [~~of this subchapter~~]. [FA26]

No equivalent provision.

SECTION \_\_. Effective September 1, 2015, Section 60.041, Water Code, is amended to read as follows:  
Sec. 60.041. SECURITY FOR BIDS ON LAND TO BE SOLD OR LEASED FOR MORE THAN 50 [~~30~~] YEARS. Each bid submitted on land to be sold or leased for more than 50 [~~30~~] years shall be accompanied by a certified check, cashier's check, or bidder's bond with a responsible corporate surety authorized to do business in Texas. The check or bond shall be in an amount equal to the bid for the land or for the first rental payment under the lease and shall guarantee that the bidder will perform the terms of the [~~his~~] bid if it is accepted by the commission. [FA26]

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

No equivalent provision.

SECTION \_\_. Effective September 1, 2015, the heading to Section 60.042, Water Code, is amended to read as follows:  
Sec. 60.042. AWARD AND EXECUTION OF DEED OR LEASE IN EXCESS OF 50 [~~30~~] YEARS. [FA26]

No equivalent provision.

SECTION \_\_. Sections 60.039, 60.040, 60.041, and 60.042, Water Code, as amended by this Act, apply only to a lease entered into on or after September 1, 2015. A lease entered into before September 1, 2015, is governed by the law in effect on the date the lease was entered into, and the former law is continued in effect for that purpose. [FA26]

No equivalent provision.

SECTION \_\_. (a) Article 4.14, Code of Criminal Procedure, is amended by adding Subsection (h) to read as follows:  
(h) For the purposes of Subsection (b)(1), the territorial limits of a municipality with a population of less than 2,000 that is located in two counties include:  
(1) the entire width of a segment of highway or street, as defined by Section 541.302, Transportation Code, that is partially located in the municipality; or  
(2) a segment of highway or street, as defined by Section 541.302, Transportation Code, that abuts property located in the municipality.  
(b) Article 14.03(g), Code of Criminal Procedure, is amended by adding Subdivision (4) to read as follows:  
(4) For purposes of Subdivision (2), the jurisdiction of a peace officer employed by a municipality described by Article 4.14(h) includes the area included in the territorial limits of

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

the municipality under that article.

(c) Article 45.019, Code of Criminal Procedure, is amended by adding Subsection (h) to read as follows:

(h) A complaint filed in municipal court in a municipality described by Article 4.14(h) must allege that the offense was committed in the territorial limits of the municipality, which include the area described by that article, in which the complaint is made.

(d) Section 29.003, Government Code, is amended by adding Subsection (j) to read as follows:

(j) For the purposes of Subsection (b), the territorial limits of a municipality described by Article 4.14(h), Code of Criminal Procedure, include the area described by that article.

(e) The changes in law made by this section apply only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

(f) This section takes effect immediately if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this section takes effect September 1, 2015. [FA27]

No equivalent provision.

SECTION \_\_. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8373 to read as follows:  
CHAPTER 8373. AXIS MUNICIPAL UTILITY DISTRICT  
NO. 1

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8373.001. DEFINITIONS. In this chapter:

(1) "Board" means the district's board of directors.

(2) "Commission" means the Texas Commission on Environmental Quality.

(3) "Director" means a board member.

(4) "District" means the Axis Municipal Utility District No. 1.

Sec. 8373.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8373.003. CONFIRMATION AND DIRECTORS' ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

Sec. 8373.004. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 8373.003 until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district.

Sec. 8373.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a) The district is created to serve a public purpose and benefit.

(b) The district is created to accomplish the purposes of:

(1) a municipal utility district as provided by general law and Section 59, Article XVI, Texas Constitution; and

(2) Section 52, Article III, Texas Constitution, that relate to the construction, acquisition, or improvement of macadamized, graveled, or paved roads described by Section 54.234, Water Code, or improvements, including storm

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

drainage, in aid of those roads.

Sec. 8373.006. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section \_\_\_ of the Act enacting this chapter.

(b) The boundaries and field notes contained in Section \_\_\_ of the Act enacting this chapter form a closure. A mistake made in the field notes or in copying the field notes in the legislative process does not affect the district's:

(1) organization, existence, or validity;

(2) right to issue any type of bond for the purposes for which the district is created or to pay the principal of and interest on a bond;

(3) right to impose a tax; or

(4) legality or operation.

**SUBCHAPTER B. BOARD OF DIRECTORS**

Sec. 8373.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 8373.052, directors serve staggered four-year terms.

Sec. 8373.052. TEMPORARY DIRECTORS. (a) The temporary board consists of:

(1) Hugh Coates;

(2) Dennette Coates; and

(3) Greg Leach.

(b) On or after the effective date of the Act enacting this chapter, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as temporary directors the three persons named in the petition. The commission shall appoint as temporary directors the three persons named in the petition.

(c) Temporary directors serve until the earlier of:

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(1) the date permanent directors are elected under Section 8373.003; or

(2) the fourth anniversary of the effective date of the Act enacting this chapter.

(d) If permanent directors have not been elected under Section 8373.003 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (e) to serve terms that expire on the earlier of:

(1) the date permanent directors are elected under Section 8373.003; or

(2) the fourth anniversary of the date of the appointment or reappointment.

(e) If Subsection (d) applies, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as successor temporary directors the persons named in the petition. The commission shall appoint as successor temporary directors the persons named in the petition.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 8373.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 8373.102. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.

Sec. 8373.103. AUTHORITY FOR ROAD PROJECTS. (a) Under Section 52, Article III, Texas Constitution, the district



**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

may design, acquire, construct, finance, issue bonds for, improve, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads described by Section 54.234, Water Code, or improvements, including storm drainage, in aid of those roads.

(b) The district may exercise the powers provided by this section without submitting a petition to or obtaining approval from the commission as required by Section 54.234, Water Code.

Sec. 8373.104. APPROVAL OF ROAD PROJECT. (a) The district may not undertake a road project authorized by Section 8373.103 unless:

(1) each municipality or county that will operate and maintain the road has approved the plans and specifications of the road project, if a municipality or county will operate and maintain the road; or

(2) the Texas Transportation Commission has approved the plans and specifications of the road project, if the state will operate and maintain the road.

(b) Except as provided by Subsection (a), the district is not required to obtain approval from the Texas Transportation Commission to design, acquire, construct, finance, issue bonds for, improve, or convey a road project.

Sec. 8373.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. The district shall comply with all applicable requirements of any ordinance or resolution that is adopted under Section 54.016 or 54.0165, Water Code, and that consents to the creation of the district or to the inclusion of land in the district.

Sec. 8373.106. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

Sec. 8373.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by:

(1) revenue other than ad valorem taxes; or

(2) contract payments described by Section 8373.153.

(b) The district must hold an election in the manner provided by Chapters 49 and 54, Water Code, to obtain voter approval before the district may impose an ad valorem tax or issue bonds payable from ad valorem taxes.

(c) The district may not issue bonds payable from ad valorem taxes to finance a road project unless the issuance is approved by a vote of a two-thirds majority of the district voters voting at an election held for that purpose.

Sec. 8373.152. OPERATION AND MAINTENANCE TAX.

(a) If authorized at an election held under Section 8373.151, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code.

(b) The board shall determine the tax rate. The rate may not exceed the rate approved at the election.

Sec. 8373.153. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

(b) A contract approved by the district voters may contain a provision stating that the contract may be modified or amended by the board without further voter approval.

SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 8373.201. AUTHORITY TO ISSUE BONDS AND

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

OTHER OBLIGATIONS. The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.

Sec. 8373.202. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

Sec. 8373.203. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district. [FA30]

No equivalent provision.

SECTION \_\_. The Axis Municipal Utility District No. 1 initially includes all the territory contained in the following area:

Tract I:

Said 921.8551 acres of land lying and being situated in Kinney County, Texas; about seven miles N 21° W of the City of Brackettville, the County Seat; containing acreages in the various Surveys, as follows:

Sur. No.Original GranteeAbst. No.Acres.

3H. L. Dignowity62172.3267

268P. Moore5072.5831

517H. E. & W. T. R.R. Co.816419.8181

523H. E. & W. T. R.R. Co.817164.8747

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

524G. Dietzel1673262.2525

Total921.8551 Ac.

Said 921.8551 acres of land being the southeast portion of the Eduardo A. de la Graza Lands; and being more fully described by metes and bounds, as follows:

BEGINNING at a 5/8" Steel Pin found at a fence corner post, for the Westernmost corner of this tract, and the common corner of the following four Surveys, viz.: the East corner of Sur. No. 409, B.B.B. & C. R.R. Co.; the South corner of Sur. No. 413, S.F.A.M. & I. Co.; the West corner of said Sur. No. 517; and the North corner of Sur. No. 410, Ben S. Jones;

THENCE with fence along the northwest lines of said Sur. No. 517 and Sur. No. 3, the southeast line of said Sur. No. 413, N 32° 00' 00" E 4859.13 ft. to a 5/8" Steel Pin, found at a fence corner post; for a re-entrant corner of a 40.00 ft. wide road easement (as recorded in Tract III, in Vol. A-66, Page 277-280, Deed Records), and a North corner of this tract;

THENCE leaving said Survey line, and with fence along a southwest R.O.W. line of said 40.00 ft. wide road easement, S 42° 04' 08" E 192.52 ft. to a 5/8" Steel Pin found at a fence corner post, for a South corner of said road easement, and a re-entrant corner of this tract;

THENCE leaving fence and continuing with the southeast R.O.W. line of said road easement, along a northwest side of this tract, as follows:

N 42° 02' 32" E 991.47 ft. to a large creosoted post in concrete, for corner;

N 54° 31' 40" E, crossing the northeast line of said Sur. No. 3, the southwest line of said Sur. No. 524, 1053.77 ft. to a large creosoted post in concrete, for corner; and

THENCE S 59° 19' 30" E 221.71 ft. to a 5/8" Steel Pin found in fence; for the South corner of the S.E. terminal of said road

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

easement, and a re-entrant corner of this tract;  
THENCE continuing with the northwest side of this tract, with fence and 5/8" Steel Pins found at fence corner posts, for corners, as follows:  
N 29° 52' 14" E, at 40.00 ft. pass a point for the North corner of the S.E. terminal of said road easement; total 1722.04 ft.;  
N 40° 30' 16" E 1529.27 ft.;  
N 14° 50' 33" W, crossing the northwest line of said Sur. No. 524, the southeast line of said Sur. No. 268, 1560.55 ft.; and  
THENCE N 33° 53' 54" E 131.42 ft. to a 5/8" Steel Pin found at a fence corner post, in the northeast line of said Sur. No. 268, the southwest line of Sur. No. 2, I. & G.N. R.R. Co., Blk. 6; for the Northernmost corner of this tract;  
THENCE with fence, along the southwest line of said Sur. No. 2, the northeast lines of Sur. Nos. 268, 524, and 523, respectively, and along a northeast side of this tract, S 58° 47' 22" E 4337.16 ft. to a 5/8" Steel Pin, found at a fence corner post in the west line of Sur. No. 8, I. & G.N. R.R. Co., Blk. 6; for a South corner of said Sur. No. 2, the N.E. corner of said Sur. No. 523, and the N.E. corner of this tract;  
THENCE with fence and the west line of said Sur. No. 8, along the east line of said Sur. No. 523 and an east side of this tract, S 00° 25' 19" W 2398.89 ft. to a 5/8" Steel Pin, found at a fence corner post, for the E.S.E. corner of this tract;  
THENCE leaving said Survey line, and with fence along a southeast side of this tract, as follows:  
N 89° 06' 42" W 1058.11 ft. to a 5/8" Steel Pin set at a fence corner post, for corner;  
S 80° 43' 46" W 478.65 ft. to a 1" Steel Pin found under fence, for corner;  
S 80° 31' 20" W 659.66 ft. to a 5/8" Steel Pin set at a fence corner post, for corner;

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

S 83° 54' 33" W 882.17 ft. to a 3/4" Steel Pin found at a fence corner post, for an East re-entrant corner;  
S 10° 48' 00" E 736.67 ft. to a 3/4" Steel Pin found near a 3-way fence corner post, for corner;  
S 82° 17' 14" E 76.27 ft. to a 3/4" Steel Pin found near a 3-way fence corner post, for corner;  
S 42° 54' 05" W 468.96 ft. to a 3/4" Steel Pin found at a fence corner post, for corner;  
S 00° 05' 29" E 81.77 ft. to a 5/8" Steel Pin set at a large dead Elm tree stump fence corner, for corner;  
S 12° 51' 33" E, crossing Elm Creek, 63.57 ft. to a 5/8" Steel Pin set at a 10" Elm tree fence corner;  
S 07° 47' 12" W 215.66 ft. to a 5/8" Steel Pin set at a north gate post, for corner;  
S 68° 06' 02" W, crossing private pasture road, 15.17 ft. to a 5/8" Steel Pin set at a south gate post, for corner;  
S 21° 59' 21" W 110.37 ft. to a 1" Steel Pin, found at a fence corner post in the southwest line of said Sur. No. 523, the northeast line of Sur. No. 518, J. Herzing; for a middle S.E. corner of this tract;  
THENCE continuing, and with said Survey line, N 58° 08' 12" W 136.75 ft. to a 5/8" Steel Pin found at a fence corner post, for the North corner of said Sur. No. 518, the East corner of said Sur. No. 517, and a re-entrant corner of this tract;  
THENCE with fence and the northwest line of said Sur. No. 518, the southeast line of said Sur. No. 517, along a southeast side of this tract, S 32° 40' 56" W 5967.46 ft. to a 5/8" Steel Pin found at a 3-way fence corner, in the northeast line of Sur. No. 410, Ben S. Jones; for the West corner of said Sur. No. 518, the South corner of said Sur. No. 517, and the Southernmost corner of this tract;  
THENCE with fence and the northeast line of said Sur. No.

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

410, the southwest line of said Sur. No. 517, along a southwest side of this tract, N 58° 01' 13" W, crossing Elm Creek, 3612.76 ft. to the place of BEGINNING;

and property:

TRACT A:

BEING 680.0186 acres of land, more or less, lying and being situated in Kinney County, Texas, about seven miles N 21° W of Brackettville, the County Seat, containing acreage in various Surveys, as follows:

Sur. No. Original Grantee Abst. No. Acres

3H L. Dignowity 6217.6652

267H. N Cleveland 3837.7480

268P Moore 507578.5462

524G Dietzel 167356.0592

Total....680.0186Ac.

Said tract of 680.0186 acres being more fully described by metes and bounds, in one body, as follows:

BEGINNING at a 5/8" Steel Pin set at corner of Fence, in the S.E. line of Sur. No. 413, S F.A.M. & I Co., distant 4859 13 N 32° E of its South corner. Said point being the East corner of the O.D. Dooley Farms;

THENCE along the northwestern line of Sur. No. 517, N 32° 00' 00" E 1109.19 ft. to a point for the East Corner of Sur No. 413;

THENCE along its N.E. line N 58° 00' 00" W 3943.41 ft. to a point in fence for a corner;

THENCE with fence, N 41° 40' 28" E 988.09 ft. to a 5/8" Steel Pin at fence corner;

THENCE with fence N 23° 57' 59" W 2141.26 ft.; and N 15° 12' 55" W 828.38 ft. to a 5/8" Steel Pin at fence corner;

THENCE with fence N 70° 05' 10" E 1361.21 ft. to a corner;

THENCE with fence N 83° 56' 06" E 1846.46 ft. to a 16" Live

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

Oak for a corner;  
THENCE with fence as follows:  
N 74° 52' 12" E 253.62 ft. to a corner;  
N 48° 36' 04" E 34.92 ft. to a corner;  
S 59° 17' 38" E 1611.56 ft. to a 5/8" Steel Pin at fence corner,  
in the S.W line of Sur. No. 2, I & G N RR. Co., Blk. 6;  
THENCE with fence and along the S.W. line of Sur. No. 2, S  
58° 47' 22" E 2086.39 ft. to a 5/8" Steel Pin at corner of fence;  
THENCE with fence as follows:  
S 33° 53' 54" W 131.42 ft. to a corner;  
S 14° 50' 33" E 1560.55 ft. to a corner;  
S 40° 30' 16" W 1529.27 ft. to a corner; and  
S 29° 52' 14" W 1722.04 ft. to a 5/8" Steel Pin for corner;  
THENCE leaving fence, N 59° 19' 30" W 221.71 ft. to a 5/8"  
Steel Pin for corner;  
THENCE S 54° 31' 40" W 1058.77 ft. to a 5/8" Steel Pin for a  
corner;  
THENCE S 42° 02' 32" W 991.47 ft. to a 5/8" Steel Pin in  
fence for corner;  
THENCE with fence N 42° 04' 08" W 192.52 ft. to the place  
of BEGINNING.  
TRACT B:  
BEING 102.5974 acres of land, more or less, lying and being  
situated in Kinney County, Texas, about seven miles N 21° W  
of Brackettville, the County Seat, all out of Sur. No. 413, S.F  
A.M. & I. Co., Original Grantee, Abst. No. 570;  
BEGINNING at a 5/8" Steel Pin set at corner of fence, in the  
S E. line of Sur No. 413, at a point 1109.19 ft. S 32° 00' 00"  
W from its East corner;  
THENCE with fence N 57° 56' 13" W 4079.16 ft. to a 5/8"  
Steel Pin for a corner;  
THENCE crossing Road, N 45° 31' 58" W 51.89 ft. to a 5/8"



**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

Steel Pin for the West corner;  
THENCE N 41° 40' 28" E 1109.27 ft. to a point for the North corner;  
THENCE along the N E. line of Sur. No. 413, S 58° 00' 00" E 3943.41 ft. to a point for its East corner;  
THENCE along the S.E. line of Sur No. 413, S 32° 00' 00" W 1109.19 ft to the place of BEGINNING.  
TRACT C:  
An undivided one-half (1/2) interest in and to the following described parcels of land, to-wit:  
Parcel 1:  
BEING 4.4662 acres of land, more or less, lying and being situated in Kinney County, Texas, about seven miles N 21° W of Brackettville, the County Seat, all out of Sur. No. 409, B.B.B & C RR. Co., Original Grantee, Abst. No. 20; said 4 4662 acres being more fully described by metes and bounds as follows:  
BEGINNING at a 5/8" Steel Pin set for the north corner of this tract, in the N.E. line of Sur. No. 409, and distant 4382.33 ft. N 57° 49' 51" W of its East corner;  
THENCE crossing Road S 58° 00' 21" E 49.58 ft. to a point for the east corner;  
THENCE S 32° 06' 15" W 4011 33 ft. to a 5/8" Steel Pin for the South corner, set in the N E. Right-of-Way line of Ranch Road No. 2804;  
THENCE along said R.O.W N 56° 58 00" W 47.44 ft to a 5/8" Steel Pin for the West corner;  
THENCE N 32° 04' 25" E 4010 47 ft to the place of BEGINNING.  
Parcel 2:  
BEING 11 010 acres of land, more or less, lying and being situated in Kinney County, Texas, about seven miles N 21° W

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

of Brackettville, the County Seat, all out of Sur No. 413, S F A.M & I Co., Original Grantee, Abst. No. 570, said 11.0100 acres being more fully described by metes and bounds, as follows:

BEGINNING at a 5/8" Steel Pin set for the West corner of this tract, in the S W. line of Sur No. 413, and distant 4382 22 ft. N 57° 49' 51" W of its South corner;

THENCE with fence N 29° 02' 19" E 136.01 ft. to a corner;

THENCE with fence as follows:

N 35° 50' 10" E 3621.84 ft.

N 35° 46' 18" E 146 45 ft.

N 35° 49' 53" E 74.75 ft.

N 32° 09' 56" E 891 62 ft to a 5/8" Steel Pin for the North corner;

THENCE crossing Road, S 45° 31' 58" E 51.89 ft. to a fence corner, at 5/8" Steel Pin;

THENCE with fence, S 32° 02' 11" W 2598 06 ft. to a corner;

THENCE with fence S 38° 43' 57" W 2146.97 ft. and S 32° 06' 15" W 120.46 ft. to a point for a corner;

THENCE crossing Road N 58° 00' 21" W 49.58 ft. to the place of BEGINNING [FA30]

No equivalent provision.

SECTION \_\_. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 7950 to read as follows:

CHAPTER 7950. F.M. 2920/BECKER ROAD MUNICIPAL UTILITY DISTRICT OF HARRIS COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7950. DEFINITIONS. In this chapter:

(1) "Board" means the district's board of directors.

(2) "Commission" means the Texas Commission on Environmental Quality.

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(3) "Director" means a board member.

(4) "District" means the F.M. 2920/Becker Road Municipal Utility District of Harris County.

Sec. 7950.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 7950.003. CONFIRMATION AND DIRECTORS' ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

Sec. 7950.004. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 7950.003 until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district.

Sec. 7950.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a) The district is created to serve a public purpose and benefit.

(b) The district is created to accomplish the purposes of:

(1) a municipal utility district as provided by general law and Section 59, Article XVI, Texas Constitution; and

(2) Section 52, Article III, Texas Constitution, that relate to the construction, acquisition, improvement, operation, or maintenance of macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 7950.006. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section \_\_\_\_\_ of the Act enacting this chapter.

(b) The boundaries and field notes contained in Section \_\_\_\_\_

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

of the Act enacting this chapter form a closure. A mistake made in the field notes or in copying the field notes in the legislative process does not affect the district's:

- (1) organization, existence, or validity;
- (2) right to issue any type of bond for the purposes for which the district is created or to pay the principal of and interest on a bond;
- (3) right to impose a tax; or
- (4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 7950.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 7950.052, directors serve staggered four-year terms.

Sec. 7950.052. TEMPORARY DIRECTORS. (a) The temporary board consists of:

- (1) Brian Toldan;
- (2) Elva Composto;
- (3) Hudson Kennedy;
- (4) Josh Rambo; and
- (5) Michael Others.

(b) Temporary directors serve until the earlier of:

- (1) the date permanent directors are elected under Section 7950.003; or
- (2) the fourth anniversary of the effective date of the Act enacting this chapter.

(c) If permanent directors have not been elected under Section 7950.003 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:

- (1) the date permanent directors are elected under Section

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

7950.003; or

(2) the fourth anniversary of the date of the appointment or reappointment.

(d) If Subsection (c) applies, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as successor temporary directors the five persons named in the petition. The commission shall appoint as successor temporary directors the five persons named in the petition.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 7950.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 7950.102. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.

Sec. 7950.103. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 7950.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

is located.

(b) If a road project is not located in the corporate limits or extraterritorial jurisdiction of a municipality, the road project must meet all applicable construction standards, subdivision requirements, and regulations of each county in which the road project is located.

(c) If the state will maintain and operate the road, the Texas Transportation Commission must approve the plans and specifications of the road project.

Sec. 7950.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. The district shall comply with all applicable requirements of any ordinance or resolution that is adopted under Section 54.016 or 54.0165, Water Code, and that consents to the creation of the district or to the inclusion of land in the district.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 7950.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by:

(1) revenue other than ad valorem taxes; or

(2) contract payments described by Section 7950.153.

(b) The district must hold an election in the manner provided by Chapters 49 and 54, Water Code, to obtain voter approval before the district may impose an ad valorem tax or issue bonds payable from ad valorem taxes.

(c) The district may not issue bonds payable from ad valorem taxes to finance a road project unless the issuance is approved by a vote of a two-thirds majority of the district voters voting at an election held for that purpose.

Sec. 7950.152. OPERATION AND MAINTENANCE TAX.

(a) If authorized at an election held under Section 7950.151, the district may impose an operation and maintenance tax on

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

taxable property in the district in accordance with Section 49.107, Water Code.

(b) The board shall determine the tax rate. The rate may not exceed the rate approved at the election.

Sec. 7950.153. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

(b) A contract approved by the district voters may contain a provision stating that the contract may be modified or amended by the board without further voter approval.

SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 7950.201. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.

Sec. 7950.202. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

Sec. 7950.203. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

the assessed value of the real property in the district. [FA32]

No equivalent provision.

SECTION \_\_. The F.M. 2920/Becker Road Municipal Utility District of Harris County initially includes all the territory contained in the following area:

FIELD NOTES FOR A 143.175 ACRE TRACT BEING THE RESIDUE OF THE SAME TRACT THAT IS DESCRIBED AS 145.507 ACRES IN THE DEED RECORDED IN HARRIS COUNTY CLERK'S FILE NO. L295708 (SAVE AND EXCEPT A 2.381 ACRE TRACT CONVEYED OUT IN THE DEED RECORDED IN CLERK'S FILE No. 2012449130), AND BEING LOCATED IN THE HARRIS COUNTY SCHOOL LANDS, SECTION 29, ABSTRACT 333, HARRIS COUNTY, TEXAS.

BEGINNING: At a concrete monument found for the Northeast corner of this 143.175 acre tract (and the above described 145.507 acre tract) as located at the intersection of the South line of Farm-to-Market Road 2920 (100 foot width) with the West right-of-way line of Becker Road (66 foot width);

THENCE: South 01° 29' 57" East with the West line of Becker Road a distance of 493.80 feet to a 1/2 inch iron rod found for the Southeast corner of this 143.175 acre tract and also being the Northeast corner of an adjoining 5.000 acre tract (Clerk's File No. T129332);

THENCE: South 88° 10' 30" West a distance of 900.00 feet along the North line of the 5.000 acre tract to a 2 inch iron pipe found for the Northwest corner of the 5.000 acre tract and also being an interior corner of this 143.175 acre tract;

THENCE: South 01° 31' 24" East with the West line of the 5.000 acre tract and a West line of a called 24.287 acre tract



**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(Clerk's File No. T129332) a distance of 842.21 feet to a 2 inch iron pipe found for an interior corner of the 24.287 acre tract and also a lower Southeast corner of this tract;  
THENCE: South 88° 12' 00" West at distance of 2300.24 feet with a North line of the called 24.287 acre tract and a South line of this 143.175 acre tract passing a 2 inch iron pipe found for a Northwest corner of the called 24.287 acre tract and the Northeast corner of a 2.381 acre tract (Clerk's File No. 2012449130) and continuing on for a total distance of 2768.46 feet to a 1/2 inch iron rod found for the Southwest corner of this tract and the Northwest corner of the 2.381 acre tract;  
THENCE: North 02° 05' 14" West with the West line of this tract and the East line of a called 100.00 acre tract (Clerk's File No. F053682), said 100.00 acre tract has been subdivided into Adams Plaza Subdivision (unrecorded); a distance of 1998.21 feet to a 1/2 inch iron rod found for the Southwest corner of a 1.000 acre tract (Clerk's File NO. S770247);  
THENCE: North 88° 21' 15" East a distance of 100.00 feet along the South line of the 1.000 acre tract to a 1/2 inch iron rod found for the Southeast corner of the 1.000 acre tract and being an interior corner of this 143.175 acre tract;  
THENCE: North 02° 05' 14" West a distance of 435.21 feet along the East line of the 1.000 acre tract to a 5/8 inch iron road and cap found for the Northeast corner of the 1.000 acre tract and the Northwest corner of this 143.175 acre tract, said corner is located in the South right-of-way line of F.M. 2920;  
THENCE: North 88° 21' 15" East a distance of 361.28 feet with the South line of F.M. 2920 to a concrete monument found for a P.C. of a curve;  
THENCE: Continuing along the South line of F.M. 2920 with a curve to the right having a radius of 2241.86 feet and a curve length of 1397.11 feet to a concrete monument found at

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

the curve's P.T.; said curve is subtended by a chord that bears South 73° 50' 17" East a distance of 1374.61 feet;  
THENCE: South 55° 58' 14" East a distance of 394.51 feet along the South right-of-way line of F.M. 2920 to a concrete monument found for a P.C. of a curve;  
THENCE: Following the South right-of-way line of F.M. 2920 along a curve to the left having a radius of 2341.86 feet and a curve length of 1470.77 feet to a concrete monument found for the P.T. of the curve; said curve is subtended by a chord that bears South 73° 59' 04" East a distance of 1446.72 feet;  
THENCE: North 87° 45' 25" East a distance of 221.23 feet along the South right-of-way line of F.M. 2920 to the PLACE OF BEGINNING and containing 143.175 acres of land. [FA32]

No equivalent provision.

SECTION \_\_. (a) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 7950, Special District Local Laws Code, as added by Section \_\_ of this Act, is amended by adding Section 7950.106 to read as follows:  
Sec. 7950.106. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.  
(b) This section is not intended to be an expression of a legislative interpretation of the requirements of Section 17(c), Article I, Texas Constitution. [FA32]

No equivalent provision.

SECTION \_\_.(a) The county department of education in a county with a population of 3.3 million or more according to the most recent federal decennial census is subject to review

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

under Chapter 325, Government Code (Texas Sunset Act), as if the department were a state agency, but the department may not be abolished under that chapter. The review shall be conducted as if the department were scheduled to be abolished September 1, 2017.

(b) The review must assess the department's governance, management, and operating structure, and the department's compliance with legislative requirements.

(c) The department shall pay the cost incurred by the Sunset Advisory Commission in performing a review of the department under this section. The Sunset Advisory Commission shall determine the cost, and the department shall pay the amount promptly on receipt of a statement from the Sunset Advisory Commission detailing the cost.

(d) This section of this Act expires on September 1, 2019. [FA32]

No equivalent provision.

SECTION \_\_. BARTON SPRINGS-EDWARDS AQUIFER CONSERVATION DISTRICT. It is the intent of the legislature that the following six SECTIONS, SECTIONS \_\_, \_\_\_\_, \_\_\_\_, \_\_\_\_, \_\_\_\_, and \_\_ of this Act, apply only to the territory described by Section 8802.0035, Special District Local Laws Code, as added by this Act, and not have statewide implications. [FA33]

No equivalent provision.

SECTION \_\_. Subchapter A, Chapter 8802, Special District Local Laws Code, is amended by adding Section 8802.0035 to read as follows:

Sec. 8802.0035. SHARED TERRITORY; JURISDICTION.

(a) The territory of the district includes any territory that is:

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

- (1) inside the boundaries of:
- (A) the Edwards Aquifer Authority; and
- (B) Hays County; and
- (2) not within the boundaries of the Plum Creek Conservation District as those boundaries existed on February 1, 2015.
- (b) The Edwards Aquifer Authority has jurisdiction over any well that is drilled to produce water from the Edwards Aquifer in the shared territory described by Subsection (a).
- (c) The district has jurisdiction over groundwater and any well that is drilled to produce water from any aquifer other than the Edwards Aquifer in the shared territory described by Subsection (a).
- (d) Except for the district and the Edwards Aquifer Authority, no district or authority created under Section 52, Article III, or Section 59, Article XVI, Texas Constitution, has authority in the shared territory described by Subsection (a) to regulate the spacing of water wells or the production from water wells.
- (e) The district has jurisdiction over any well that is drilled to produce water from the Edwards Aquifer or any other aquifer in the territory described by Section 8802.003.
- (f) The district's jurisdiction over any well that is drilled to produce water in the territory described in Section 8802.003, including a well that is used to recover water that has been injected as part of an aquifer storage and recovery project, applies to all wells for which the district has jurisdiction in the shared territory described by this section. [FA33]

No equivalent provision.

SECTION \_\_.Section 8802.1045, Special District Local Laws Code, is amended by adding Subsection (g) to read as follows:  
(g) This subsection applies only to a well located in the shared territory described by Section 8802.0035.

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

Notwithstanding Subsection (b), the district may not charge an annual production fee of more than 17 cents per thousand gallons of water produced under a permit from a well under this subsection, if the water is permitted for any use other than agricultural use. [FA33]

No equivalent provision.

SECTION \_\_. As soon as practicable after the effective date of the Act enacting this SECTION, and in conformance with Chapter 36, Water Code, the board of directors of the Barton Springs-Edwards Aquifer Conservation District may increase the number of board members and shall revise the single-member districts as the board considers appropriate to reflect the changes in territory made by Section 8802.0035, Special District Local Laws Code, as added by this Act. It is the intent of the legislature that the composition of the board reflect the territory added to the district by this Act. [FA33]

No equivalent provision.

SECTION \_\_. In this section:

- (1) "District" means the Barton Springs-Edwards Aquifer Conservation District.
- (2) "Maximum production capacity" means the maximum production capacity of a well, which may be based on a 36-hour pump test conducted at the time the well was initially constructed or placed into service.
- (b) This section applies only to the shared territory added to the district by Section 8802.0035, Special District Local Laws Code, as added by this Act.
- (c) A person operating a well before the effective date of this Act or who has entered into a contract before the effective date of this Act to drill or operate a well that is or will be

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

located in the territory described by Subsection (b) of this section and subject to the jurisdiction of the district under Section 8802.0035, Special District Local Laws Code, as added by this Act, shall file an administratively complete permit application with the district not later than three months after the effective date of this Act for the drilling, equipping, completion, or operation of any well if the well requires a permit under the rules or orders of the district. The person may file the permit application for an amount of groundwater production not to exceed the maximum production capacity of the well.

(d) The district shall issue a temporary permit to a person who files an application under Subsection (c) of this section without a hearing on the application not later than the 30th day after the date of receipt of the application. The district shall issue the temporary permit for the groundwater production amount set forth in the application. The temporary permit issued under this subsection shall provide the person with retroactive and prospective authorization to drill, operate, or perform another activity related to a well for which a permit is required by the district for the period of time between the effective date of this Act and the date that the district takes a final, appealable action on issuance of a regular permit pursuant to the permit application if:

- (1) the person's drilling, operating, or other activities associated with the well are consistent with the authorization sought in the permit application;
- (2) the person timely pays to the district all administrative fees and fees related to the amount of groundwater authorized to be produced pursuant to the temporary permit in the same manner as other permit holders in the district; and
- (3) the person complies with other rules and orders of the

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

district applicable to permit holders.

(e) The temporary permit issued under Subsection (d) does not confer any rights or privileges to the permit holder other than those set forth in this section. After issuing the temporary permit, the district shall process the permit application for notice, hearing, and consideration for issuance of a regular permit consistent with this section. The district, after notice and hearing, shall issue an order granting the regular permit authorizing groundwater production in the amount set forth in the temporary permit unless the district finds that authorizing groundwater production in the amount set forth in the temporary permit will cause:

(1) a failure to achieve the applicable adopted desired future conditions for the aquifer; or

(2) an unreasonable impact on existing wells.

(f) In the hearing on issuance of the regular permit under Subsection (e), the permit applicant bears the burden of proof.

(g) The holder of a temporary or regular permit subject to a district order under this section to reduce the amount of groundwater production from the permitted well may contest the reduction by requesting a contested case hearing to be conducted by the State Office of Administrative Hearings in the manner provided by Sections 36.416, 36.4165, and 36.418, Water Code. The district shall contract with the State Office of Administrative Hearings to conduct the hearing as provided by those sections of the Water Code. To the extent possible, the State Office of Administrative Hearings shall expedite a hearing under this subsection. The permit applicant bears the burden of proof in the hearing.

(h) For the State Office of Administrative Hearings to recommend overturning a district order reducing the amount of groundwater authorized to be produced under a temporary

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

permit, the permit holder must demonstrate by a preponderance of the evidence that the production of the amount of groundwater authorized based on the maximum production capacity will not cause:

(1) a failure to achieve applicable adopted desired future conditions for the aquifer; or

(2) an unreasonable impact on existing wells as found in the district's order.

(i) A person who relies on the temporary permit granted by this section to drill, operate, or engage in other activities associated with a water well assumes the risk that the district may grant or deny, wholly or partly, the permit application when the district takes final action after notice and hearing to issue a regular permit pursuant to the application. [FA33]

No equivalent provision.

SECTION \_\_. If the addition of territory under Section 8802.0035, Special District Local Laws Code, as added by this Act, causes the annual water use fee in Section 8802.105 to exceed \$1 million, the district shall not require an assessment of greater than \$1 million annually as adjusted to reflect the percentage change during the preceding year in the Consumer Price Index. [FA33]

No equivalent provision.

SECTION \_\_. (a) The legislature validates and confirms all acts and proceedings of the board of directors of the Barton Springs-Edwards Aquifer Conservation District that were taken before the effective date of this Act.

(b) Subsection (a) of this section does not apply to any matter that on the effective date of this Act:

(1) is involved in litigation if the litigation ultimately results



**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

in the matter being held invalid by a final judgment of a court;  
or  
(2) has been held invalid by a final judgment of a court.  
[FA33]

No equivalent provision.

SECTION \_\_. Section 11.139, Water Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) Except as provided by Section 11.148 [~~of this code~~], the commission may grant an emergency permit, order, or amendment to an existing permit, certified filing, or certificate of adjudication after notice to the governor for an initial period of not more than 270 [~~120~~] days if the commission finds that:

(1) emergency conditions exist which present an imminent threat to the public health and safety and which override the necessity to comply with established statutory procedures; and  
(2) there are no feasible practicable alternatives to the emergency authorization.

(a-1) Such emergency action may be renewed once for not longer than 60 days. [FA34]

No equivalent provision.

SECTION \_\_. The change in law made by this Act applies only to an application for an emergency authorization or renewal of an emergency authorization that is submitted to the Texas Commission on Environmental Quality on or after the effective date of this Act. An application for an emergency authorization or renewal of an emergency authorization that is submitted to the commission before the effective date of this Act is governed by the law in effect immediately before the

**House Bill 3474**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

effective date of this Act, and that law is continued in effect for that purpose. [FA34]

No equivalent provision.

SECTION 64. To the extent of any conflict, this Act prevails over another Act of the 84th Legislature, Regular Session, 2015, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 11. This Act takes effect September 1, 2015.

SECTION 65. Except as otherwise provided by this Act, this Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

No equivalent provision. (*But see SECTION 11 above.*)

SECTION \_\_. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015. [FA34]