H.B. No. 3607

AN ACT

relating to nonsubstantive additions to, revisions of, and corrections in enacted codes, to the nonsubstantive codification or disposition of various laws omitted from enacted codes, and to conforming codifications enacted by the 86th Legislature to other Acts of that legislature.

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

ARTICLE 1. GENERAL PROVISIONS

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

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

(2)  conforming codifications enacted by the 86th Legislature to other Acts of that legislature that amended the laws codified or added new law to subject matter codified;

(3)  revising without substantive change provisions in enacted codes;

(4)  making necessary corrections to enacted codes; and

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

SECTION 1.002.  (a) The repeal of a statute by this Act does not affect an amendment, revision, or reenactment of the statute by the 87th Legislature, Regular Session, 2021. The amendment, revision, or reenactment is preserved and given effect as part of the code provision that revised the statute so amended, revised, or reenacted.

(b)  If any provision of this Act conflicts with a statute enacted by the 87th Legislature, Regular Session, 2021, the statute controls.

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

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

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

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including a validating law, by this Act does not remove, void, or otherwise affect in any manner a validation under the repealed law.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

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

ARTICLE 2. CHANGES RELATING TO ALCOHOLIC BEVERAGE CODE

SECTION 2.001.  (a) Section 48.01, Alcoholic Beverage Code, as amended by Chapters 230 (H.B. 2196) and 1359 (H.B. 1545), Acts of the 86th Legislature, Regular Session, 2019, is reenacted to read as follows:

Sec. 48.01.  AUTHORIZED ACTIVITIES. A passenger transportation permit authorizes the permit holder to sell or serve the types of alcoholic beverages specifically authorized by this chapter.

(b)  Section 48.04, Alcoholic Beverage Code, as effective September 1, 2021, is amended to conform to Chapter 230 (H.B. 2196), Acts of the 86th Legislature, Regular Session, 2019, by adding Subsection (e) to read as follows:

(e)  This subsection applies only to a passenger train operated by or on behalf of the Texas State Railroad Authority. An alcoholic beverage purchased by a consumer on a passenger train for present consumption may be removed from the train for consumption on property that is part of a public entertainment facility owned or leased by the Texas State Railroad Authority. An alcoholic beverage in an open container purchased by a consumer on property that is part of a public entertainment facility owned or leased by the Texas State Railroad Authority may be consumed on a passenger train.

(c)  Section 108.82(b), Alcoholic Beverage Code, as amended by Chapter 230 (H.B. 2196), Acts of the 86th Legislature, Regular Session, 2019, is amended to read as follows:

(b)  Notwithstanding Section 28.10, the concessionaire for a public entertainment facility described by Subsection (a) may allow a patron who possesses an alcoholic beverage to enter or leave a licensed or permitted premises within the facility if the alcoholic beverage:

(1)  is in an open container, as defined by Section 49.031, Penal Code;

(2)  appears to be possessed for present consumption;

(3)  except as provided by Section 48.04(e) [~~48.01(b)~~], remains within the confines of the facility, excluding a parking lot; and

(4)  was purchased legally at a licensed or permitted premises within the facility.

SECTION 2.002.  Subsection (h), Section 74.01, Alcoholic Beverage Code, as added by Chapter 434 (S.B. 1232), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Subsection (f), Section 74.01, Alcoholic Beverage Code, and amended to conform to Chapter 1359 (H.B. 1545), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

(f) [~~(h)~~]  This section does not authorize the holder of a brewpub license who also holds a wine and malt beverage [~~beer~~] retailer's permit to deliver alcoholic beverages directly to ultimate consumers for off-premise consumption at a location other than the licensed premises.

ARTICLE 3. CHANGES RELATING TO CIVIL PRACTICE AND REMEDIES CODE

SECTION 3.001.  Section 27.010(a), Civil Practice and Remedies Code, is amended to conform to Chapter 469 (H.B. 4173), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

(a)  This chapter does not apply to:

(1)  an enforcement action that is brought in the name of this state or a political subdivision of this state by the attorney general, a district attorney, a criminal district attorney, or a county attorney;

(2)  a legal action brought against a person primarily engaged in the business of selling or leasing goods or services, if the statement or conduct arises out of the sale or lease of goods, services, or an insurance product, insurance services, or a commercial transaction in which the intended audience is an actual or potential buyer or customer;

(3)  a legal action seeking recovery for bodily injury, wrongful death, or survival or to statements made regarding that legal action;

(4)  a legal action brought under the Insurance Code or arising out of an insurance contract;

(5)  a legal action arising from an officer-director, employee-employer, or independent contractor relationship that:

(A)  seeks recovery for misappropriation of trade secrets or corporate opportunities; or

(B)  seeks to enforce a non-disparagement agreement or a covenant not to compete;

(6)  a legal action filed under Title 1, 2, 4, or 5, Family Code, or an application for a protective order under Subchapter A, Chapter 7B [~~7A~~], Code of Criminal Procedure;

(7)  a legal action brought under Chapter 17, Business & Commerce Code, other than an action governed by Section 17.49(a) of that chapter;

(8)  a legal action in which a moving party raises a defense pursuant to Section 160.010, Occupations Code, Section 161.033, Health and Safety Code, or the Health Care Quality Improvement Act of 1986 (42 U.S.C. 11101 et seq.);

(9)  an eviction suit brought under Chapter 24, Property Code;

(10)  a disciplinary action or disciplinary proceeding brought under Chapter 81, Government Code, or the Texas Rules of Disciplinary Procedure;

(11)  a legal action brought under Chapter 554, Government Code; or

(12)  a legal action based on a common law fraud claim.

SECTION 3.002.  Section 144.010, Civil Practice and Remedies Code, is repealed as executed.

ARTICLE 4. CHANGES RELATING TO CODE OF CRIMINAL PROCEDURE

SECTION 4.001.  Article 2.26(c), Code of Criminal Procedure, is amended to correct a reference to read as follows:

(c)  This section does not preclude any symbol from being valid as a signature under other applicable law, including Section 1.201(b)(37) [~~1.201(39)~~], Business & Commerce Code.

SECTION 4.002.  (a) The heading to Subchapter A, Chapter 7B, Code of Criminal Procedure, is amended to conform to Chapter 955 (S.B. 194), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

SUBCHAPTER A. PROTECTIVE ORDER FOR VICTIMS OF SEXUAL ASSAULT OR ABUSE, INDECENT ASSAULT, STALKING, OR TRAFFICKING

(b)  Article 7B.001, Code of Criminal Procedure, is amended to conform to Chapters 955 (S.B. 194) and 1066 (H.B. 1343), Acts of the 86th Legislature, Regular Session, 2019, by amending Subsection (a) and adding Subsections (a-1) and (a-2) to read as follows:

(a)  The following persons may file an application for a protective order under this subchapter without regard to the relationship between the applicant and the alleged offender:

(1)  a person who is the victim of an offense under Section 21.02, 21.11, 22.011, 22.012, 22.021, or 42.072, Penal Code;

(2)  a person who is the victim of an offense under Section 20A.02, 20A.03, or 43.05, Penal Code;

(3)  a parent or guardian acting on behalf of a person younger than 17 years of age who is the victim of an offense listed in Subdivision (1);

(4)  a parent or guardian acting on behalf of a person younger than 18 years of age who is the victim of an offense listed in Subdivision (2); or

(5)  a prosecuting attorney acting on behalf of a person described by Subdivision (1), (2), (3), or (4).

(a-1)  Except as provided by Subsection (a-2), if an application has not yet been filed in the case under Subsection (a), the attorney representing the state shall promptly file an application for a protective order with respect to each victim of an offense listed in Subdivision (1) or (2) of that subsection following the offender's conviction of or placement on deferred adjudication community supervision for the offense.

(a-2)  The attorney representing the state may not file an application under Subsection (a-1) with respect to a victim who is at least 18 years of age if the victim requests that the attorney representing the state not file the application.

(c)  Article 7B.002, Code of Criminal Procedure, is amended to conform to Chapter 955 (S.B. 194), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

Art. 7B.002.  TEMPORARY EX PARTE ORDER. If the court finds from the information contained in an application for a protective order that there is a clear and present danger of sexual assault or abuse, indecent assault, stalking, trafficking, or other harm to the applicant, the court, without further notice to the alleged offender and without a hearing, may issue a temporary ex parte order for the protection of the applicant or any other member of the applicant's family or household.

(d)  Article 7B.003, Code of Criminal Procedure, is amended to conform to Chapters 955 (S.B. 194) and 1066 (H.B. 1343), Acts of the 86th Legislature, Regular Session, 2019, by amending Subsection (a) and adding Subsection (c) to read as follows:

(a)  At the close of a hearing on an application for a protective order under this subchapter, the court shall find whether there are reasonable grounds to believe that the applicant is the victim of sexual assault or abuse, indecent assault, stalking, or trafficking.

(c)  An offender's conviction of or placement on deferred adjudication community supervision for an offense listed in Article 7B.001(a)(1) or (2) constitutes reasonable grounds under Subsection (a).

(e)  Article 7B.004, Code of Criminal Procedure, is amended to conform to Chapter 955 (S.B. 194), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

Art. 7B.004.  HEARSAY STATEMENT OF CHILD VICTIM. In a hearing on an application for a protective order under this subchapter, a statement that is made by a child younger than 14 years of age who is the victim of an offense under Section 21.02, 21.11, 22.011, 22.012, or 22.021, Penal Code, and that describes the offense committed against the child is admissible as evidence in the same manner that a child's statement regarding alleged abuse against the child is admissible under Section 104.006, Family Code, in a suit affecting the parent-child relationship.

(f)  Article 7B.007, Code of Criminal Procedure, is amended to conform to Chapter 1066 (H.B. 1343), Acts of the 86th Legislature, Regular Session, 2019, by adding Subsection (a-1) to read as follows:

(a-1)  The court shall issue a protective order effective for the duration of the lives of the offender and victim if the offender is:

(1)  convicted of or placed on deferred adjudication community supervision for an offense listed in Article 7B.001(a)(1) or (2); and

(2)  required under Chapter 62 to register for life as a sex offender.

(g)  The following provisions are repealed:

(1)  Section 2, Chapter 955 (S.B. 194), Acts of the 86th Legislature, Regular Session, 2019, which amended the heading to Chapter 7A, Code of Criminal Procedure;

(2)  Section 3, Chapter 955 (S.B. 194), and Section 1, Chapter 1066 (H.B. 1343), Acts of the 86th Legislature, Regular Session, 2019, which amended Article 7A.01, Code of Criminal Procedure;

(3)  Section 4, Chapter 955 (S.B. 194), Acts of the 86th Legislature, Regular Session, 2019, which amended Article 7A.02, Code of Criminal Procedure;

(4)  Section 5, Chapter 955 (S.B. 194), and Section 2, Chapter 1066 (H.B. 1343), Acts of the 86th Legislature, Regular Session, 2019, which amended Article 7A.03, Code of Criminal Procedure;

(5)  Section 6, Chapter 955 (S.B. 194), Acts of the 86th Legislature, Regular Session, 2019, which amended Article 7A.035, Code of Criminal Procedure; and

(6)  Section 3, Chapter 1066 (H.B. 1343), Acts of the 86th Legislature, Regular Session, 2019, which amended Article 7A.07, Code of Criminal Procedure.

SECTION 4.003.  Article 16.22(c), Code of Criminal Procedure, as amended by Chapters 582 (S.B. 362) and 1276 (H.B. 601), Acts of the 86th Legislature, Regular Session, 2019, is reenacted to read as follows:

(c)  After the trial court receives the applicable expert's written report relating to the defendant under Subsection (b-1) or elects to use the results of a previous determination as described by Subsection (a)(2), the trial court may, as applicable:

(1)  resume criminal proceedings against the defendant, including any appropriate proceedings related to the defendant's release on personal bond under Article 17.032 if the defendant is being held in custody;

(2)  resume or initiate competency proceedings, if required, as provided by Chapter 46B;

(3)  consider the written report during the punishment phase after a conviction of the offense for which the defendant was arrested, as part of a presentence investigation report, or in connection with the impositions of conditions following placement on community supervision, including deferred adjudication community supervision;

(4)  refer the defendant to an appropriate specialty court established or operated under Subtitle K, Title 2, Government Code; or

(5)  if the offense charged does not involve an act, attempt, or threat of serious bodily injury to another person, release the defendant on bail while charges against the defendant remain pending and enter an order transferring the defendant to the appropriate court for court-ordered outpatient mental health services under Chapter 574, Health and Safety Code.

SECTION 4.004.  Section 4, Article 42.01, Code of Criminal Procedure, is amended to correct a typographical error to read as follows:

Sec. 4.  The Office of Court Administration of the Texas Judicial System shall promulgate a standardized felony judgment form that conforms to the requirements of Section 1 of this article. A court entering a felony judgment [~~judgement~~] shall use the form promulgated under this section.

SECTION 4.005.  Article 42A.102(b), Code of Criminal Procedure, as amended by Chapters 1137 (H.B. 2758) and 1298 (H.B. 3582), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and amended to read as follows:

(b)  In all other cases, the judge may grant deferred adjudication community supervision unless:

(1)  the defendant is charged with an offense:

(A)  under Section 20A.02, [~~or~~] 20A.03, [~~or~~] 49.045, 49.05, 49.065, 49.07, or 49.08, Penal Code;

(B)  under Section 49.04 or 49.06, Penal Code, and, at the time of the offense:

(i)  the defendant held a commercial driver's license or a commercial learner's permit; or

(ii)  the defendant's alcohol concentration, as defined by Section 49.01, Penal Code, was 0.15 or more;

(C)  for which punishment may be increased under Section 49.09, Penal Code; or

(D)  for which punishment may be increased under Section 481.134(c), (d), (e), or (f), Health and Safety Code, if it is shown that the defendant has been previously convicted of an offense for which punishment was increased under any one of those subsections;

(2)  the defendant:

(A)  is charged with an offense under Section 21.11, 22.011, 22.021, 43.04, or 43.05, Penal Code, regardless of the age of the victim, or a felony described by Article 42A.453(b), other than a felony described by Subdivision (1)(A) or (3)(B) of this subsection; and

(B)  has previously been placed on community supervision for an offense under Paragraph (A);

(3)  the defendant is charged with an offense under:

(A)  Section 21.02, Penal Code; or

(B)  Section 22.021, Penal Code, that is punishable under Subsection (f) of that section or under Section 12.42(c)(3) or (4), Penal Code; or

(4)  the defendant is charged with an offense under Section 19.02, Penal Code, except that the judge may grant deferred adjudication community supervision on determining that the defendant did not cause the death of the deceased, did not intend to kill the deceased or another, and did not anticipate that a human life would be taken.

SECTION 4.006.  Article 42A.408(e-1), Code of Criminal Procedure, is amended to conform to Chapter 1094 (H.B. 2048), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

(e-1)  Except as provided by Subsection (e-2), a judge granting deferred adjudication community supervision to a defendant for an offense under Section 49.04 or 49.06, Penal Code, shall require that the defendant as a condition of community supervision have an ignition interlock device installed on the motor vehicle owned by the defendant or on the vehicle most regularly driven by the defendant and that the defendant not operate any motor vehicle that is not equipped with that device. If the judge determines that the defendant is unable to pay for the ignition interlock device, the judge may impose a reasonable payment schedule, as provided by Subsection (f). If the defendant provides the court evidence under Section 709.001 [~~708.158~~], Transportation Code, sufficient to establish that the defendant is indigent for purposes of that section, the judge may enter in the record a finding that the defendant is indigent and reduce the costs to the defendant by ordering a waiver of the installation charge for the ignition interlock device and a 50 percent reduction of the monthly device monitoring fee. A reduction in costs ordered under this subsection does not apply to any fees that may be assessed against the defendant if the ignition interlock device detects ethyl alcohol on the breath of the person attempting to operate the motor vehicle.

SECTION 4.007.  (a) Article 56A.001, Code of Criminal Procedure, is amended to conform to Section 1, Chapter 1037 (H.B. 616), Acts of the 86th Legislature, Regular Session, 2019, by adding Subdivision (6-a) to read as follows:

(6-a)  "Sexual assault examiner" and "sexual assault nurse examiner" have the meanings assigned by Section 420.003, Government Code.

(b)  Section 1, Chapter 1037 (H.B. 616), Acts of the 86th Legislature, Regular Session, 2019, which amended Article 56.01, Code of Criminal Procedure, is repealed.

SECTION 4.008.  (a) The heading to Article 56A.052, Code of Criminal Procedure, is amended to conform to Section 8, Chapter 955 (S.B. 194), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

Art. 56A.052.  ADDITIONAL RIGHTS OF VICTIMS OF SEXUAL ASSAULT, INDECENT ASSAULT, STALKING, OR TRAFFICKING.

(b)  Section 8, Chapter 955 (S.B. 194), Acts of the 86th Legislature, Regular Session, 2019, which amended the heading to Article 56.021, Code of Criminal Procedure, is repealed.

SECTION 4.009.  (a) Article 56A.052, Code of Criminal Procedure, is amended to conform to Section 4.02, Chapter 413 (S.B. 20), Section 2, Chapter 529 (S.B. 1801), Section 9, Chapter 955 (S.B. 194), and Section 2, Chapter 1037 (H.B. 616), Acts of the 86th Legislature, Regular Session, 2019, by amending Subsections (a) and (d) and adding Subsection (e) to read as follows:

(a)  If the offense is a sexual assault, a victim, guardian of a victim, or close relative of a deceased victim is entitled to the following rights within the criminal justice system:

(1)  if requested, the right to a disclosure of information regarding:

(A)  any evidence that was collected during the investigation of the offense, unless disclosing the information would interfere with the investigation or prosecution of the offense, in which event the victim, guardian, or relative shall be informed of the estimated date on which that information is expected to be disclosed; and

(B)  the status of any analysis being performed of any evidence described by Paragraph (A);

(2)  if requested, the right to be notified:

(A)  at the time a request is submitted to a crime laboratory to process and analyze any evidence that was collected during the investigation of the offense;

(B)  at the time of the submission of a request to compare any biological evidence collected during the investigation of the offense with DNA profiles maintained in a state or federal DNA database; and

(C)  of the results of the comparison described by Paragraph (B), unless disclosing the results would interfere with the investigation or prosecution of the offense, in which event the victim, guardian, or relative shall be informed of the estimated date on which those results are expected to be disclosed;

(3)  if requested, the right to counseling regarding acquired immune deficiency syndrome (AIDS) and human immunodeficiency virus (HIV) infection; and

(4)  for the victim, the right to:

(A)  testing for acquired immune deficiency syndrome (AIDS), human immunodeficiency virus (HIV) infection, antibodies to HIV, or infection with any other probable causative agent of AIDS; and

(B)  a forensic medical examination to the extent provided by Subchapters F and G if, within 120 [~~96~~] hours of the offense:

(i)  the offense is reported to a law enforcement agency; or

(ii)  a forensic medical examination is otherwise conducted at a health care facility.

(d)  This subsection applies only to a victim of an offense under Section 20A.02, 20A.03, 21.02, 21.11, 22.011, 22.012, 22.021, 42.072, or 43.05, Penal Code.  A victim described by this subsection or a parent or guardian of the victim is entitled to the following rights within the criminal justice system:

(1)  the right to be informed:

(A)  that the victim or the victim's parent or guardian, as applicable, may file an application for a protective order under Article 7B.001;

(B)  of the court in which the application for a protective order may be filed; and

(C)  that, on request of the victim or of the victim's parent or guardian, as applicable, and subject to the Texas Disciplinary Rules of Professional Conduct, the attorney representing the state may file the application for a protective order on behalf of the victim;

(2)  the right to request that the attorney representing the state, subject to the Texas Disciplinary Rules of Professional Conduct, file an application for a protective order described by Subdivision (1);

(3)  if the victim or the victim's parent or guardian, as applicable, is present when the defendant is convicted or placed on deferred adjudication community supervision, the right to:

(A)  be given by the court the information described by Subdivision (1); and

(B)  file an application for a protective order under Article 7B.001 immediately following the defendant's conviction or placement on deferred adjudication community supervision if the court has jurisdiction over the application; and

(4)  if the victim or the victim's parent or guardian, as applicable, is not present when the defendant is convicted or placed on deferred adjudication community supervision, the right to be given by the attorney representing the state the information described by Subdivision (1).

(e)  A victim of an offense under Section 20A.02, 20A.03, or 43.05, Penal Code, is entitled to be informed that the victim may petition for an order of nondisclosure of criminal history record information under Section 411.0728, Government Code, if the victim:

(1)  has been convicted of or placed on deferred adjudication community supervision for an offense described by Subsection (a)(1) of that section; and

(2)  committed that offense solely as a victim of an offense under Section 20A.02, 20A.03, or 43.05, Penal Code.

(b)  Section 4.02, Chapter 413 (S.B. 20), Section 2, Chapter 529 (S.B. 1801), Section 9, Chapter 955 (S.B. 194), and Section 2, Chapter 1037 (H.B. 616), Acts of the 86th Legislature, Regular Session, 2019, which amended Article 56.021, Code of Criminal Procedure, are repealed.

SECTION 4.010.  (a) Subchapter F, Chapter 56A, Code of Criminal Procedure, is amended to conform to Section 3, Chapter 1037 (H.B. 616), Acts of the 86th Legislature, Regular Session, 2019, by adding Articles 56A.2505 and 56A.256 to read as follows:

Art. 56A.2505.  APPLICABILITY. This subchapter applies to health care facilities described by Article 56A.302.

Art. 56A.256.  RULES. The attorney general shall adopt rules necessary to implement this subchapter.

(b)  Article 56A.251, Code of Criminal Procedure, is amended to conform to Section 3, Chapter 1037 (H.B. 616), Acts of the 86th Legislature, Regular Session, 2019, by amending Subsection (a) and adding Subsection (d) to read as follows:

(a)  Except as provided by Subsection (b), if a sexual assault is reported to a law enforcement agency within 120 [~~96~~] hours after the assault, the law enforcement agency, with the consent of the victim of the alleged assault, a person authorized to act on behalf of the victim, or an employee of the Department of Family and Protective Services, shall request a forensic medical examination of the victim for use in the investigation or prosecution of the offense.

(d)  If a sexual assault is reported to a law enforcement agency as provided by Subsection (a) or (c), the law enforcement agency shall document, in the form and manner required by the attorney general, whether the agency requested a forensic medical examination. The law enforcement agency shall:

(1)  provide the documentation of the agency's decision regarding a request for a forensic medical examination to:

(A)  the health care facility and the sexual assault examiner or sexual assault nurse examiner, as applicable, who provides services to the victim that are related to the sexual assault; and

(B)  the victim or the person who consented to the forensic medical examination on behalf of the victim; and

(2)  maintain the documentation of the agency's decision in accordance with the agency's record retention policies.

(c)  Article 56A.252, Code of Criminal Procedure, is amended to conform to Sections 3 and 8, Chapter 1037 (H.B. 616), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

Art. 56A.252.  PAYMENT OF COSTS OF EXAMINATION. (a) [~~A law enforcement agency that requests a forensic medical examination under Article 56A.251 shall pay all costs of the examination.~~] On application to the attorney general, a health care facility that provides a forensic medical examination to a sexual assault survivor in accordance with this subchapter, or the [~~law enforcement agency is entitled to be reimbursed for the reasonable costs of the examination if the examination was performed by a physician or by a~~] sexual assault examiner or sexual assault nurse examiner who conducts that examination, as applicable, is entitled to be reimbursed in an amount set by attorney general rule for:

(1)  the reasonable costs of the forensic portion of that examination; and

(2)  the evidence collection kit [~~defined by Section 420.003, Government Code~~].

(b)  The application under Subsection (a) must be in the form and manner prescribed by the attorney general and must include:

(1)  the documentation that the law enforcement agency requested the forensic medical examination, as required under Article 56A.251(d); and

(2)  a complete and itemized bill of the reasonable costs of the forensic portion of the examination.

(c)  A health care facility or a sexual assault examiner or sexual assault nurse examiner, as applicable, who applies for reimbursement under Subsection (a) shall accept reimbursement from the attorney general as payment for the costs unless:

(1)  the health care facility or sexual assault examiner or sexual assault nurse examiner, as applicable:

(A)  requests, in writing, additional reimbursement from the attorney general; and

(B)  provides documentation in support of the additional reimbursement, as reasonably requested by the attorney general; and

(2)  the attorney general determines that there is a reasonable justification for additional reimbursement.

(d)  A health care facility is not entitled to reimbursement under this article unless the forensic medical examination was conducted at the facility by a physician, sexual assault examiner, or sexual assault nurse examiner.

(e)  On request, the attorney general may provide training to a health care facility regarding the process for applying for reimbursement under this article.

(d)  Section 3, Chapter 1037 (H.B. 616), Acts of the 86th Legislature, Regular Session, 2019, which amended Article 56.06, Code of Criminal Procedure, is repealed.

SECTION 4.011.  Article 56A.301(3), Code of Criminal Procedure, is repealed to conform to the repeal of Article 56.065(a)(3), Code of Criminal Procedure, by Section 8, Chapter 1037 (H.B. 616), Acts of the 86th Legislature, Regular Session, 2019.

SECTION 4.012.  (a) Article 56A.303(a), Code of Criminal Procedure, is amended to conform to Section 4, Chapter 1037 (H.B. 616), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

(a)  In accordance with Subchapter B, Chapter 420, Government Code, and except as provided by Subsection (b), a health care facility shall conduct a forensic medical examination of a victim of an alleged sexual assault if:

(1)  the victim arrives at the facility within 120 [~~96~~] hours after the assault occurred;

(2)  the victim consents to the examination; and

(3)  at the time of the examination the victim has not reported the assault to a law enforcement agency.

(b)  Article 56A.304, Code of Criminal Procedure, is amended to conform to Sections 4 and 8, Chapter 1037 (H.B. 616), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

Art. 56A.304.  PAYMENT OF FEES RELATED TO EXAMINATION. (a) On application to the [~~The department shall pay the appropriate fees, as set by~~] attorney general [~~rule~~], a health care facility that provides [~~for the forensic portion of~~] a forensic medical examination to a sexual assault survivor in accordance with this subchapter, or the [~~conducted under Article 56A.303(a) and for the evidence collection kit if a physician,~~] sexual assault examiner [~~,~~] or sexual assault nurse examiner who conducts that [~~the forensic portion of the~~] examination, as applicable, within 120 [~~96~~] hours after the alleged sexual assault occurred is entitled to be reimbursed in an amount set by attorney general rule for:

(1)  the reasonable costs of the forensic portion of that examination; and

(2)  the evidence collection kit.

(b)  The application under Subsection (a) must be in the form and manner prescribed by the attorney general and must include:

(1)  certification that the examination was conducted in accordance with the requirements of Article 56A.303(a); and

(2)  a complete and itemized bill of the reasonable costs of the forensic portion of the examination [~~attorney general shall reimburse the department for fees paid under Subsection (a)~~].

(c)  A health care facility or a sexual assault examiner or sexual assault nurse examiner, as applicable, who applies for reimbursement under Subsection (a) shall accept reimbursement from the attorney general as payment for the costs unless:

(1)  the health care facility or sexual assault examiner or sexual assault nurse examiner, as applicable:

(A)  requests, in writing, additional reimbursement from the attorney general; and

(B)  provides documentation in support of the additional reimbursement, as reasonably requested by the attorney general; and

(2)  the attorney general determines that there is a reasonable justification for additional reimbursement.

(d)  A health care facility is not entitled to reimbursement under this article unless the forensic medical examination was conducted at the facility by a physician, sexual assault examiner, or sexual assault nurse examiner.

(e)  On request, the attorney general may provide training to a health care facility regarding the process for applying for reimbursement under this article.

(f)  A victim of an alleged sexual assault may not be required to pay for:

(1)  the forensic portion of the forensic medical examination; or

(2)  the evidence collection kit.

(c)  Section 4, Chapter 1037 (H.B. 616), Acts of the 86th Legislature, Regular Session, 2019, which amended Article 56.065, Code of Criminal Procedure, is repealed.

SECTION 4.013.  (a) Article 56A.306, Code of Criminal Procedure, is amended to conform to Section 4, Chapter 408 (H.B. 8), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

Art. 56A.306.  PROCEDURES FOR TRANSFER AND PRESERVATION OF EVIDENCE. (a) The department, consistent with Chapter 420, Government Code, shall develop procedures for:

(1)  the transfer [~~and preservation~~] of evidence collected under this subchapter to a crime laboratory or other suitable location designated by the public safety director of the department;

(2)  the preservation of the evidence by the entity receiving the evidence; and

(3)  the notification of the victim of the offense before a planned destruction of evidence under this article.

(b)  Subject to Subsection (c), an [~~An~~] entity receiving [~~the~~] evidence described by Subsection (a) shall preserve the evidence until the earlier of:

(1)  the fifth [~~second~~] anniversary of the date on which the evidence was collected; or

(2)  the date on which written consent to release the evidence is obtained as provided by Section 420.0735, Government Code.

(c)  An entity receiving evidence described by Subsection (a) may destroy the evidence on the expiration of the entity's duty to preserve the evidence under Subsection (b)(1) only if:

(1)  the entity provides written notification to the victim of the offense, in a trauma-informed manner, of the decision to destroy the evidence that includes:

(A)  detailed instructions on how the victim may make a written objection to the decision, including contact information for the entity; or

(B)  a standard form for the victim to complete and return to the entity to make a written objection to the decision; and

(2)  a written objection is not received by the entity from the victim before the 91st day after the date on which the entity notifies the victim of the planned destruction of the evidence.

(d)  The entity shall document the entity's attempt to notify the victim under Subsection (c).

(b)  Section 4, Chapter 408 (H.B. 8), Acts of the 86th Legislature, Regular Session, 2019, which amended Article 56.065, Code of Criminal Procedure, is repealed.

SECTION 4.014.  (a) Article 56B.003(13), Code of Criminal Procedure, is amended to conform to Section 3.06, Chapter 413 (S.B. 20), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

(13)  "Trafficking of persons" means any offense that results in a person engaging in forced labor or services, including sexual conduct, and that may be prosecuted under Section 20A.02, 20A.03, 43.03, 43.031, 43.04, 43.041, 43.05, 43.25, 43.251, or 43.26, Penal Code.

(b)  Section 3.06, Chapter 413 (S.B. 20), Acts of the 86th Legislature, Regular Session, 2019, which amended Article 56.32(a)(14), Code of Criminal Procedure, is repealed.

SECTION 4.015.  (a) Article 56B.106(c), Code of Criminal Procedure, is amended to conform to Section 1, Chapter 187 (H.B. 2079), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

(c)  A [~~victim who is a~~] victim of stalking, family violence, or trafficking of persons, [~~or~~] a victim of sexual assault who is assaulted in the victim's place of residence, or a child who is a victim of a murder attempt in the child's place of residence may receive a one-time assistance payment in an amount not to exceed:

(1)  $2,000 to be used for relocation expenses, including expenses for rental deposit, utility connections, expenses relating to moving belongings, motor vehicle mileage expenses, and for an out-of-state move, transportation, lodging, and meals; and

(2)  $1,800 to be used for housing rental expenses.

(b)  Section 1, Chapter 187 (H.B. 2079), Acts of the 86th Legislature, Regular Session, 2019, which amended Article 56.42(d), Code of Criminal Procedure, is repealed.

SECTION 4.016.  (a) Article 56B.453(d), Code of Criminal Procedure, is amended to conform to Section 5, Chapter 1037 (H.B. 616), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

(d)  The attorney general may use the fund to:

(1)  reimburse a health care facility or a sexual assault examiner or sexual assault nurse examiner for certain costs of a forensic medical examination that are incurred by the facility or the examiner [~~law enforcement agency for the reasonable costs of a forensic medical examination that are incurred by the agency~~] under Subchapter F or G, Chapter 56A, as provided by those subchapters; and

(2)  make a payment to or on behalf of an individual for the reasonable costs incurred for medical care provided under Subchapter F or G, Chapter 56A, in accordance with Section 323.004, Health and Safety Code.

(b)  Section 5, Chapter 1037 (H.B. 616), Acts of the 86th Legislature, Regular Session, 2019, which amended Article 56.54(k), Code of Criminal Procedure, is repealed.

SECTION 4.017.  (a) Article 58.051(11), Code of Criminal Procedure, is amended to conform to Section 3.07, Chapter 413 (S.B. 20), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

(11)  "Trafficking of persons" means any conduct that:

(A)  constitutes an offense under Section 20A.02, 20A.03, 43.03, 43.031, 43.04, 43.041, 43.05, 43.25, 43.251, or 43.26, Penal Code; and

(B)  results in a person:

(i)  engaging in forced labor or services; or

(ii)  otherwise becoming a victim of the offense.

(b)  Section 3.07, Chapter 413 (S.B. 20), Acts of the 86th Legislature, Regular Session, 2019, which amended Article 56.81(7), Code of Criminal Procedure, is repealed.

SECTION 4.018.  Article 102.0173, Code of Criminal Procedure, as amended by Chapters 656 (S.B. 1840) and 1352 (S.B. 346), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and amended to read as follows:

Art. 102.0173.  JUSTICE COURT ASSISTANCE AND TECHNOLOGY FUND. (a) The justice court assistance and technology fund is a fund in the county treasury. The fund consists of money allocated to the fund under Section 134.103, Local Government Code.

(b)  Money in the justice court assistance and technology fund may be used only to finance:

(1)  the cost of providing court personnel, including salaries and benefits for the court personnel;

(2)  the cost of continuing education and training for justice court judges and court personnel; and

(3)  the purchase and maintenance of technological enhancements for a justice court, including:

(A)  computer systems;

(B)  computer networks;

(C)  computer hardware;

(D)  computer software;

(E)  imaging systems;

(F)  electronic kiosks;

(G)  electronic ticket writers; and

(H)  docket management systems.

(c)  The justice court assistance and technology fund shall be administered by or under the direction of the commissioners court of the county.

(d)  A justice court may, subject to the approval of the commissioners court, use a fund designated by this article to assist a constable's office or other county department with a technological enhancement, or cost related to the enhancement, described by Subsection (b)(3) [~~(d)(3)~~] if the enhancement directly relates to the operation or efficiency of the justice court.

SECTION 4.019.  Article 102.020(a), Code of Criminal Procedure, as amended by Chapter 1285 (H.B. 1399), Acts of the 86th Legislature, Regular Session, 2019, is repealed to conform to the repeal of Article 102.020, Code of Criminal Procedure, by Chapter 1352 (S.B. 346), Acts of the 86th Legislature, Regular Session, 2019.

SECTION 4.020.  Article 102.022(a), Code of Criminal Procedure, as amended by Chapter 1094 (H.B. 2048), Acts of the 86th Legislature, Regular Session, 2019, is repealed to conform to the repeal of Article 102.022, Code of Criminal Procedure, by Chapter 1352 (S.B. 346), Acts of the 86th Legislature, Regular Session, 2019.

SECTION 4.021.  Article 102.030(b), Code of Criminal Procedure, is amended to correct a reference to read as follows:

(b)  The treasurer shall deposit the reimbursement fees collected under this article [~~section~~] in a separate account in the general fund of the county or municipality to be used for the purpose of improving the collection of outstanding court costs, fines, reimbursement fees, or restitution or improving the efficiency of the administration of justice in the county or municipality. The county or municipality shall prioritize the needs of the judicial officer who collected the fees when making expenditures under this subsection and use the money deposited to provide for those needs.

ARTICLE 5. CHANGES RELATING TO EDUCATION CODE

SECTION 5.001.  Section 8.155(a), Education Code, is amended to correct a reference to read as follows:

(a)  A non-physician mental health professional employed under Section 8.152 shall, to the greatest extent possible, work collaboratively with the regional education service center and shall act as a resource for the center and school district personnel by:

(1)  helping personnel gain awareness and a better understanding of mental health and co-occurring mental health and substance use disorders;

(2)  assisting personnel to implement initiatives related to mental health or substance use under state law or agency rules, interagency memorandums of understanding, and related programs;

(3)  ensuring personnel are aware of:

(A)  the list of recommended best practice-based programs and research-based practices developed under Section 38.351 [~~Section 161.325, Health and Safety Code~~];

(B)  other public and private mental health and substance use prevention, treatment, and recovery programs available in the school district, including evidence-based programs provided by a local mental health authority and other public or private mental health providers; and

(C)  other available public and private mental health and substance use prevention, treatment, and recovery program resources administered by the local mental health authority or the Health and Human Services Commission to support school districts, students, and families;

(4)  on a monthly basis, facilitating mental health first aid training;

(5)  on a monthly basis, facilitating training regarding the effects of grief and trauma and providing support to children with intellectual or developmental disabilities who suffer from grief or trauma; and

(6)  on a monthly basis, facilitating training on prevention and intervention programs that have been shown to be effective in helping students cope with pressures to:

(A)  use alcohol, cigarettes, or illegal drugs; or

(B)  misuse prescription drugs.

SECTION 5.002.  Section 11.157(b), Education Code, as added by Chapter 677 (S.B. 2117), Acts of the 86th Legislature, Regular Session, 2019, is amended to conform to the transfer and redesignation of Section 42.2511, Education Code, by Chapter 943 (H.B. 3), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

(b)  A school district under contract with an open-enrollment charter school to jointly operate a campus or campus program during the 2017-2018 school year and under any renewal of that contract during the 2018-2019 school year is eligible to receive funding under former Section 42.2511 for each student or the portion of each student's school day under the direction of the open-enrollment charter school. Beginning with the 2019-2020 school year, a school district is eligible to receive funding under Section 48.252 on the renewal of a contract described by this section. The commissioner may adopt rules to determine the portion of funding a school district is entitled to under this subsection.

SECTION 5.003.  Section 12.104(b), Education Code, as amended by Chapters 262 (H.B. 1597), 464 (S.B. 11), 467 (H.B. 4170), and 943 (H.B. 3), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and amended to read as follows:

(b)  An open-enrollment charter school is subject to:

(1)  a provision of this title establishing a criminal offense;

(2)  the provisions in Chapter 554, Government Code; and

(3)  a prohibition, restriction, or requirement, as applicable, imposed by this title or a rule adopted under this title, relating to:

(A)  the Public Education Information Management System (PEIMS) to the extent necessary to monitor compliance with this subchapter as determined by the commissioner;

(B)  criminal history records under Subchapter C, Chapter 22;

(C)  reading instruments and accelerated reading instruction programs under Section 28.006;

(D)  accelerated instruction under Section 28.0211;

(E)  high school graduation requirements under Section 28.025;

(F)  special education programs under Subchapter A, Chapter 29;

(G)  bilingual education under Subchapter B, Chapter 29;

(H)  prekindergarten programs under Subchapter E or E-1, Chapter 29;

(I)  extracurricular activities under Section 33.081;

(J)  discipline management practices or behavior management techniques under Section 37.0021;

(K)  health and safety under Chapter 38;

(L)  public school accountability under Subchapters B, C, D, F, G, and J, Chapter 39, and Chapter 39A;

(M)  the requirement under Section 21.006 to report an educator's misconduct;

(N)  intensive programs of instruction under Section 28.0213;

(O)  the right of a school employee to report a crime, as provided by Section 37.148;

(P)  bullying prevention policies and procedures under Section 37.0832;

(Q)  the right of a school under Section 37.0052 to place a student who has engaged in certain bullying behavior in a disciplinary alternative education program or to expel the student;

(R)  the right under Section 37.0151 to report to local law enforcement certain conduct constituting assault or harassment;

(S)  a parent's right to information regarding the provision of assistance for learning difficulties to the parent's child as provided by Sections 26.004(b)(11) and 26.0081(c) and (d);

(T)  establishment of residency under Section 25.001;

(U) [~~(T)~~]  school safety requirements under Sections 37.108, 37.1081, 37.1082, 37.109, 37.113, 37.114, 37.115, 37.207, and 37.2071;

(V) [~~(T)~~]  the early childhood literacy and mathematics proficiency plans under Section 11.185; and

(W) [~~(U)~~]  the college, career, and military readiness plans under Section 11.186.

SECTION 5.004.  Section 21.410, Education Code, as amended by Chapter 439 (S.B. 1376), Acts of the 86th Legislature, Regular Session, 2019, is repealed to conform to the repeal of Section 21.410, Education Code, by Chapter 943 (H.B. 3), Acts of the 86th Legislature, Regular Session, 2019.

SECTION 5.005.  Section 21.451(d-3), Education Code, is amended to correct a reference to read as follows:

(d-3)  The digital learning training provided by Subsection (d)(1)(C) [~~(d)(1)(E)~~] must:

(1)  discuss basic technology proficiency expectations and methods to increase an educator's digital literacy; and

(2)  assist an educator in the use of digital technology in learning activities that improve teaching, assessment, and instructional practices.

SECTION 5.006.  Section 28.004(c), Education Code, as amended by Chapters 331 (S.B. 435), 352 (H.B. 18), and 464 (S.B. 11), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and amended to read as follows:

(c)  The local school health advisory council's duties include recommending:

(1)  the number of hours of instruction to be provided in:

(A)  health education in kindergarten through grade eight; and

(B)  if the school district requires health education for high school graduation, health education, including physical health education and mental health education, in grades 9 through 12;

(2)  policies, procedures, strategies, and curriculum appropriate for specific grade levels designed to prevent physical health concerns, including obesity, cardiovascular disease, Type 2 diabetes, and mental health concerns, including suicide, through coordination of:

(A)  health education, which must address physical health concerns and mental health concerns to ensure the integration of physical health education and mental health education;

(B)  physical education and physical activity;

(C)  nutrition services;

(D)  parental involvement;

(E)  instruction on substance abuse prevention;

(F)  school health services, including mental health services;

(G)  a comprehensive school counseling program under Section 33.005;

(H)  a safe and healthy school environment; and

(I)  school employee wellness;

(3)  appropriate grade levels and methods of instruction for human sexuality instruction;

(4)  strategies for integrating the curriculum components specified by Subdivision (2) with the following elements in a coordinated school health program for the district:

(A)  school health services, including physical health services and mental health services, if provided at a campus by the district or by a third party under a contract with the district;

(B)  a comprehensive school counseling program under Section 33.005;

(C)  a safe and healthy school environment; and

(D)  school employee wellness;

(5)  if feasible, joint use agreements or strategies for collaboration between the school district and community organizations or agencies; [~~and~~]

(6)  strategies to increase parental awareness regarding:

(A)  risky behaviors and early warning signs of suicide risks and behavioral health concerns, including mental health disorders and substance use disorders; and

(B)  available community programs and services that address risky behaviors, suicide risks, and behavioral health concerns; and

(7) [~~(6)~~]  appropriate grade levels and curriculum for instruction regarding opioid addiction and abuse and methods of administering an opioid antagonist, as defined by Section 483.101, Health and Safety Code.

SECTION 5.007.  Section 28.009(b-2), Education Code, as amended by Chapters 264 (S.B. 1276) and 901 (H.B. 3650), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and amended to read as follows:

(b-2)  Any agreement, including a memorandum of understanding or articulation agreement, between a school district and public institution of higher education to provide a dual credit program described by Subsection (b-1) must:

(1)  include specific program goals aligned with the statewide goals developed under Subsection (b-1);

(2)  establish common advising strategies and terminology related to dual credit and college readiness;

(3)  provide for the alignment of endorsements described by Section 28.025(c-1) offered by the district, and dual credit courses offered under the agreement that apply towards those endorsements, with postsecondary pathways and credentials at the institution and industry certifications;

(4)  identify tools, including tools developed by the agency, the Texas Higher Education Coordinating Board, or the Texas Workforce Commission, to assist school counselors, students, and families in selecting endorsements offered by the district and dual credit courses offered under the agreement;

(5)  establish, or provide a procedure for establishing, the course credits that may be earned under the agreement, including by developing a course equivalency crosswalk or other method for equating high school courses with college courses and identifying the number of credits that may be earned for each course completed through the program;

(6)  describe the academic supports and, if applicable, guidance that will be provided to students participating in the program;

(7)  establish the district's and the institution's respective roles and responsibilities in providing the program and ensuring the quality and instructional rigor of the program;

(8)  state the sources of funding for courses offered under the program, including, at a minimum, the sources of funding for tuition, transportation, and any required fees or textbooks for students participating in the program;

(9)  require the district and the institution to consider the use of free or low-cost open educational resources in courses offered under the program; and

(10) [~~(7)~~]  be posted each year on the district's and the institution's respective Internet websites.

SECTION 5.008.  Section 29.081(d), Education Code, as amended by Chapters 403 (S.B. 1746), 597 (S.B. 668), and 1060 (H.B. 1051), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and amended to read as follows:

(d)  For purposes of this section, "student at risk of dropping out of school" includes each student who:

(1)  is under 26 years of age and who:

(A)  was not advanced from one grade level to the next for one or more school years;

(B)  if the student is in grade 7, 8, 9, 10, 11, or 12, did not maintain an average equivalent to 70 on a scale of 100 in two or more subjects in the foundation curriculum during a semester in the preceding or current school year or is not maintaining such an average in two or more subjects in the foundation curriculum in the current semester;

(C)  did not perform satisfactorily on an assessment instrument administered to the student under Subchapter B, Chapter 39, and who has not in the previous or current school year subsequently performed on that instrument or another appropriate instrument at a level equal to at least 110 percent of the level of satisfactory performance on that instrument;

(D)  if the student is in prekindergarten, kindergarten, or grade 1, 2, or 3, did not perform satisfactorily on a readiness test or assessment instrument administered during the current school year;

(E)  is pregnant or is a parent;

(F)  has been placed in an alternative education program in accordance with Section 37.006 during the preceding or current school year;

(G)  has been expelled in accordance with Section 37.007 during the preceding or current school year;

(H)  is currently on parole, probation, deferred prosecution, or other conditional release;

(I)  was previously reported through the Public Education Information Management System (PEIMS) to have dropped out of school;

(J)  is a student of limited English proficiency, as defined by Section 29.052;

(K)  is in the custody or care of the Department of Family and Protective Services or has, during the current school year, been referred to the department by a school official, officer of the juvenile court, or law enforcement official;

(L)  is homeless;

(M)  resided in the preceding school year or resides in the current school year in a residential placement facility in the district, including a detention facility, substance abuse treatment facility, emergency shelter, psychiatric hospital, halfway house, cottage home operation, specialized child-care home, or general residential operation; or

(N) [~~(14)~~]  has been incarcerated or has a parent or guardian who has been incarcerated, within the lifetime of the student, in a penal institution as defined by Section 1.07, Penal Code; or

(2)  regardless of the student's age, participates in an adult education program provided under a high school diploma and industry certification charter school program under Section 29.259.

SECTION 5.009.  Section 29.316(c), Education Code, as added by Chapter 1036 (H.B. 548), Acts of the 86th Legislature, Regular Session, 2019, is amended to conform to the transfer and redesignation of Section 42.151, Education Code, by Chapter 943 (H.B. 3), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

(c)  Not later than August 31 of each year, the agency, the division, and the center jointly shall prepare and post on the agency's, the division's, and the center's respective Internet websites a report on the language acquisition of children eight years of age or younger who are deaf or hard of hearing. The report must:

(1)  include:

(A)  existing data reported in compliance with federal law regarding children with disabilities; and

(B)  information relating to the language acquisition of children who are deaf or hard of hearing and also have other disabilities;

(2)  state for each child:

(A)  the instructional arrangement used with the child, as described by Section 48.102 [~~42.151~~], including the time the child spends in a mainstream instructional arrangement;

(B)  the specific language acquisition services provided to the child, including:

(i)  the time spent providing those services; and

(ii)  a description of any hearing amplification used in the delivery of those services, including:

(a)  the type of hearing amplification used;

(b)  the period of time in which the child has had access to the hearing amplification; and

(c)  the average amount of time the child uses the hearing amplification each day;

(C)  the tools or assessments used to assess the child's language acquisition and the results obtained;

(D)  the preferred unique communication mode used by the child at home; and

(E)  the child's age, race, and gender, the age at which the child was identified as being deaf or hard of hearing, and any other relevant demographic information the commissioner determines to likely be correlated with or have an impact on the child's language acquisition;

(3)  compare progress in English literacy made by children who are deaf or hard of hearing to progress in that subject made by children of the same age who are not deaf or hard of hearing, by appropriate age range; and

(4)  be redacted as necessary to comply with state and federal law regarding the confidentiality of student medical or educational information.

SECTION 5.010.  Sections 37.108(b-1) and (f), Education Code, are amended to correct references to read as follows:

(b-1)  In a school district's safety and security audit required under Subsection (b), the district must certify that the district used the funds provided to the district through the school safety allotment under Section 48.115 [~~42.168~~] only for the purposes provided by that section.

(f)  A school district shall include in its multihazard emergency operations plan:

(1)  a chain of command that designates the individual responsible for making final decisions during a disaster or emergency situation and identifies other individuals responsible for making those decisions if the designated person is unavailable;

(2)  provisions that address physical and psychological safety for responding to a natural disaster, active shooter, and any other dangerous scenario identified for purposes of this section by the agency or the Texas School Safety Center;

(3)  provisions for ensuring the safety of students in portable buildings;

(4)  provisions for ensuring that students and district personnel with disabilities are provided equal access to safety during a disaster or emergency situation;

(5)  provisions for providing immediate notification to parents, guardians, and other persons standing in parental relation in circumstances involving a significant threat to the health or safety of students, including identification of the individual with responsibility for overseeing the notification;

(6)  provisions for supporting the psychological safety of students, district personnel, and the community during the response and recovery phase following a disaster or emergency situation that:

(A)  are aligned with best practice-based programs and research-based practices recommended under Section 38.351 [~~Section 161.325, Health and Safety Code~~];

(B)  include strategies for ensuring any required professional development training for suicide prevention and grief-informed and trauma-informed care is provided to appropriate school personnel;

(C)  include training on integrating psychological safety and suicide prevention strategies into the district's plan, such as psychological first aid for schools training, from an approved list of recommended training established by the commissioner and Texas School Safety Center for:

(i)  members of the district's school safety and security committee under Section 37.109;

(ii)  district school counselors and mental health professionals; and

(iii)  educators and other district personnel as determined by the district;

(D)  include strategies and procedures for integrating and supporting physical and psychological safety that align with the provisions described by Subdivision (2); and

(E)  implement trauma-informed policies;

(7)  a policy for providing a substitute teacher access to school campus buildings and materials necessary for the substitute teacher to carry out the duties of a district employee during an emergency or a mandatory emergency drill; and

(8)  the name of each individual on the district's school safety and security committee established under Section 37.109 and the date of each committee meeting during the preceding year.

SECTION 5.011.  Section 37.115(k), Education Code, is amended to correct a reference to read as follows:

(k)  A team must report to the agency in accordance with guidelines developed by the agency the following information regarding the team's activities and other information for each school district campus the team serves:

(1)  the occupation of each person appointed to the team;

(2)  the number of threats and a description of the type of the threats reported to the team;

(3)  the outcome of each assessment made by the team, including:

(A)  any disciplinary action taken, including a change in school placement;

(B)  any action taken by law enforcement; or

(C)  a referral to or change in counseling, mental health, special education, or other services;

(4)  the total number, disaggregated by student gender, race, and status as receiving special education services, being at risk of dropping out of school, being in foster care, experiencing homelessness, being a dependent of military personnel, being pregnant or a parent, having limited English proficiency, or being a migratory child, of, in connection with an assessment or reported threat by the team:

(A)  citations issued for Class C misdemeanor offenses;

(B)  arrests;

(C)  incidents of uses of restraint;

(D)  changes in school placement, including placement in a juvenile justice alternative education program or disciplinary alternative education program;

(E)  referrals to or changes in counseling, mental health, special education, or other services;

(F)  placements in in-school suspension or out-of-school suspension and incidents of expulsion;

(G)  unexcused absences of 15 or more days during the school year; and

(H)  referrals to juvenile court for truancy; and

(5)  the number and percentage of school personnel trained in:

(A)  a best-practices program or research-based practice under Section 38.351 [~~Section 161.325, Health and Safety Code~~], including the number and percentage of school personnel trained in:

(i)  suicide prevention; or

(ii)  grief and trauma-informed practices;

(B)  mental health or psychological first aid for schools;

(C)  training relating to the safe and supportive school program established under Subsection (b); or

(D)  any other program relating to safety identified by the commissioner.

SECTION 5.012.  Section 38.036(c), Education Code, is amended to correct a reference to read as follows:

(c)  The methods under Subsection (b)(1) for increasing awareness and implementation of trauma-informed care must include training as provided by this subsection. The training must be provided:

(1)  through a program selected from the list of recommended best practice-based programs and research-based practices established under Section 38.351 [~~Section 161.325, Health and Safety Code~~];

(2)  as part of any new employee orientation for all new school district educators; and

(3)  to existing school district educators on a schedule adopted by the agency by rule that requires educators to be trained at intervals necessary to keep educators informed of developments in the field.

SECTION 5.013.  Section 38.308, Education Code, is amended to correct a reference to read as follows:

Sec. 38.308.  DUTIES OF TASK FORCE. The task force shall:

(1)  gather data on:

(A)  the number of students enrolled in each school district and open-enrollment charter school;

(B)  the number of individuals to whom each school district or open-enrollment charter school provides the mental health services described by Section 38.302(1);

(C)  the number of individuals for whom each school district or open-enrollment charter school has the resources to provide the mental health services described by Section 38.302(1);

(D)  the number of individuals described by Paragraph (B) who are referred to an inpatient or outpatient mental health provider;

(E)  the number of individuals who are transported from each school district or open-enrollment charter school for an emergency detention under Chapter 573, Health and Safety Code; and

(F)  the race, ethnicity, gender, special education status, educationally disadvantaged status, and geographic location of:

(i)  individuals who are provided the mental health services described by Section 38.302(1);

(ii)  individuals who are described by Paragraph (D); and

(iii)  individuals who are described by Paragraph (E); and

(2)  study, evaluate, and make recommendations regarding the mental health services described by Section 38.302(1), the training described by Section 38.302(2), and the impact of those mental health services, as described by Section 38.302(3), including addressing:

(A)  the outcomes and the effectiveness of the services and training provided, including the outcomes and effectiveness of the service and training providers and the programs under which services and training are provided, in:

(i)  improving student academic achievement and attendance;

(ii)  reducing student disciplinary proceedings, suspensions, placements in a disciplinary alternative education program, and expulsions; and

(iii)  delivering prevention and intervention services to promote early mental health skills, including:

(a)  building skills relating to managing emotions, establishing and maintaining positive relationships, and making responsible decisions;

(b)  preventing substance abuse;

(c)  preventing suicides;

(d)  adhering to the purpose of the relevant program services or training;

(e)  promoting trauma-informed practices;

(f)  promoting a positive school climate, as defined by Section 38.351(d) [~~Section 161.325(a-3), Health and Safety Code~~], in the district or school; and

(g)  improving physical and emotional safety and well-being in the district or school and reducing violence in the district or school;

(B)  best practices for districts and schools in implementing the services or training;

(C)  disparities in the race, ethnicity, gender, special education status, and geographic location of individuals receiving the services; and

(D)  best practices to replicate the services or training for all districts and schools.

SECTION 5.014.  (a) Section 38.351, Education Code, is amended to conform to Chapter 464 (S.B. 11), Acts of the 86th Legislature, Regular Session, 2019, by adding Subsection (i-1) and amending Subsections (j) and (k) to read as follows:

(i-1)  A school district may develop practices and procedures concerning each area listed in Subsection (c), including mental health promotion and intervention, substance abuse prevention and intervention, and suicide prevention, that include a procedure for providing educational material to all parents and families in the district that contains information on identifying risk factors, accessing resources for treatment or support provided on and off campus, and accessing available student accommodations provided on campus.

(j)  The practices and procedures developed under Subsection (i) or (i-1):

(1)  may address multiple areas listed in Subsection (c) together; and

(2)  must prohibit the use without the prior consent of a student's parent or guardian of a medical screening of the student as part of the process of identifying whether the student is possibly in need of early mental health or substance abuse intervention or suicide prevention.

(k)  The practices and procedures developed under Subsection (i) or (i-1) must be included in:

(1)  the annual student handbook; and

(2)  the district improvement plan under Section 11.252.

(b)  Section 23, Chapter 464 (S.B. 11), Acts of the 86th Legislature, Regular Session, 2019, which amended Section 161.325(d), Health and Safety Code, is repealed.

SECTION 5.015.  Section 39.059, Education Code, as added by Chapters 870 (H.B. 3007) and 871 (H.B. 3011), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and amended to read as follows:

Sec. 39.059.  DATA TRANSPARENCY. (a) In this section:

(1)  "Coordinating board" means the Texas Higher Education Coordinating Board.

(2)  "Institution of higher education" has the meaning assigned by Section 61.003.

(b)  Before the initial release of academic accountability ratings for a school year:[~~,~~]

(1)  the coordinating board shall provide to each school district a copy of all source data as submitted to the coordinating board by an institution of higher education that the coordinating board provides to the agency to consider in:

(A) [~~(1)~~]  determining the district's accreditation status under Section 39.052; or

(B) [~~(2)~~]  assigning performance ratings for the district or the district's campuses under Section 39.054; and[~~.~~]

(2)  the agency shall provide to each school district a copy of all source data as submitted to the agency by an entity other than the district that the agency considers in:

(A) [~~(1)~~]  determining the district's accreditation status under Section 39.052; or

(B) [~~(2)~~]  assigning performance ratings for the district or the district's campuses under Section 39.054.

SECTION 5.016.  Section 39.413, Education Code, as amended by Chapter 943 (H.B. 3), Acts of the 86th Legislature, Regular Session, 2019, is repealed to conform to the repeal of Section 39.413, Education Code, by Chapter 439 (S.B. 1376), Acts of the 86th Legislature, Regular Session, 2019.

SECTION 5.017.  Section 39A.002, Education Code, is amended to codify text inadvertently omitted from Chapter 467 (H.B. 4170), Acts of the 86th Legislature, Regular Session, 2019, and to conform to Section 15, Chapter 925 (S.B. 1566), Acts of the 85th Legislature, Regular Session, 2017, to read as follows:

Sec. 39A.002.  AUTHORIZED COMMISSIONER ACTIONS. If a school district is subject to commissioner action under Section 39A.001, the commissioner may:

(1)  issue public notice of the deficiency to the board of trustees of the district;

(2)  order a hearing to be conducted by the board of trustees of the district to notify the public of:

(A)  the insufficient performance;

(B)  the improvements in performance expected by the agency; and

(C)  the interventions and sanctions that may be imposed under this subchapter if the performance does not improve;

(3)  order the preparation of a student achievement improvement plan that addresses each academic achievement indicator under Section 39.053(c) for which the district's performance is insufficient, the submission of the plan to the commissioner for approval, and the implementation of the plan;

(4)  order a hearing to be held before the commissioner or the commissioner's designee at which the president of the board of trustees of the district and the district's superintendent shall appear and explain the district's low performance, lack of improvement, and plans for improvement;

(5)  arrange a monitoring review of the district;

(6)  appoint an agency monitor to participate in and report to the agency on the activities of the board of trustees of the district or superintendent;

(7)  appoint a conservator to oversee the operations of the district;

(8)  appoint a management team to direct the operations of the district in areas of insufficient performance or require the district to obtain certain services under a contract with another person; [~~or~~]

(9)  authorize the district to enter into a memorandum of understanding with an institution of higher education that provides for the assistance of the institution of higher education in improving the district's performance; or

(10) [~~(12)~~]  order the use of the board improvement and evaluation tool as provided by Section 11.182.

SECTION 5.018.  Section 45.0032(d), Education Code, is amended to conform to Chapter 943 (H.B. 3), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

(d)  For a district to which Section 26.08(a-1), Tax Code, applies, the amount by which the district's maintenance tax rate exceeds the district's voter-approval tax rate, excluding the district's current debt rate under Section 26.08(n)(3) [~~26.08(n)(1)(C)~~], Tax Code, for the preceding year is not considered in determining a district's tier one maintenance and operations tax rate under Subsection (a) or the district's enrichment tax rate under Subsection (b) for the current tax year.

SECTION 5.019.  (a)  Section 48.009, Education Code, is amended to conform to Chapters 1036 (H.B. 548) and 1060 (H.B. 1051), Acts of the 86th Legislature, Regular Session, 2019, by adding Subsections (b-1), (b-2), and (b-3) to read as follows:

(b-1)  The commissioner by rule shall require each school district and open-enrollment charter school to report through the Public Education Information Management System information disaggregated by campus and grade regarding:

(1)  the number of children who are required to attend school under Section 25.085, are not exempted under Section 25.086, and fail to attend school without excuse for 10 or more days or parts of days within a six-month period in the same school year;

(2)  the number of students for whom the district initiates a truancy prevention measure under Section 25.0915(a-4); and

(3)  the number of parents of students against whom an attendance officer or other appropriate school official has filed a complaint under Section 25.093.

(b-2)  The commissioner by rule shall require each school district and open-enrollment charter school to annually report through the Public Education Information Management System information regarding the number of students who are enrolled in a high school equivalency program, a dropout recovery school, or an adult education program provided under a high school diploma and industry certification charter school program provided by the district or school and who:

(1)  are at least 18 years of age and under 26 years of age;

(2)  have not previously been reported to the agency as dropouts; and

(3)  enroll in the program at the district or school after not attending school for a period of at least nine months.

(b-3)  A student reported under Subsection (b-2) as having enrolled in a high school equivalency program, a dropout recovery school, or an adult education program provided under a high school diploma and industry certification charter school program must be reported through the Public Education Information Management System as having previously dropped out of school.

(b)  Section 39.053(g-4), Education Code, is amended to correct a reference to read as follows:

(g-4)  For purposes of the computation of dropout and completion rates such as high school graduation rates under Subsection (c)(1)(B)(ix), the commissioner shall exclude a student who was reported as having dropped out of school under Section 48.009(b-3) [~~42.006(a-9)~~], and the student may not be considered to have dropped out from the school district or campus in which the student was last enrolled.

(c)  The following provisions, which amended Section 42.006, Education Code, are repealed:

(1)  Section 2, Chapter 1036 (H.B. 548), Acts of the 86th Legislature, Regular Session, 2019; and

(2)  Section 8, Chapter 1060 (H.B. 1051), Acts of the 86th Legislature, Regular Session, 2019.

SECTION 5.020.  Section 42.168, Education Code, as added by Chapter 464 (S.B. 11), Acts of the 86th Legislature, Regular Session, 2019, is transferred to Subchapter C, Chapter 48, Education Code, redesignated as Section 48.115, Education Code, and amended to conform to changes made by Chapter 943 (H.B. 3), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

Sec. 48.115 [~~42.168~~].  SCHOOL SAFETY ALLOTMENT. (a) From funds appropriated for that purpose, the commissioner shall provide to a school district an annual allotment in the amount provided by appropriation for each student in average daily attendance.

(b)  Funds allocated under this section must be used to improve school safety and security, including costs associated with:

(1)  securing school facilities, including:

(A)  improvements to school infrastructure;

(B)  the use or installation of physical barriers; and

(C)  the purchase and maintenance of:

(i)  security cameras or other security equipment; and

(ii)  technology, including communications systems or devices, that facilitates communication and information sharing between students, school personnel, and first responders in an emergency;

(2)  providing security for the district, including:

(A)  employing school district peace officers, private security officers, and school marshals; and

(B)  collaborating with local law enforcement agencies, such as entering into a memorandum of understanding for the assignment of school resource officers to schools in the district;

(3)  school safety and security training and planning, including:

(A)  active shooter and emergency response training;

(B)  prevention and treatment programs relating to addressing adverse childhood experiences; and

(C)  the prevention, identification, and management of emergencies and threats, including:

(i)  providing mental health personnel and support;

(ii)  providing behavioral health services; and

(iii)  establishing threat reporting systems; and

(4)  providing programs related to suicide prevention, intervention, and postvention.

(c)  A school district may use funds allocated under this section for equipment or software that is used for a school safety and security purpose and an instructional purpose, provided that the instructional use does not compromise the safety and security purpose of the equipment or software.

(d)  A school district that is required to take action under Chapter 49 [~~41~~] to reduce its local revenue level [~~wealth per student~~] to the [~~equalized wealth~~] level established under Section 48.257 is entitled to a credit, in the amount of the allotments to which the district is to receive as provided by appropriation, against the total amount required under Section 49.153 [~~41.093~~] for the district to purchase attendance credit [~~credits~~].

(e)  The commissioner may adopt rules to implement this section.

SECTION 5.021.  Section 51.256(c), Education Code, is amended to conform to Chapter 469 (H.B. 4173), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

(c)  Nothing in this section may be construed as prohibiting a victim from making a report to a law enforcement agency using the pseudonym form described by Article 58.102 [~~57.02~~], Code of Criminal Procedure.

SECTION 5.022.  Sections 59.01(1) and (3), Education Code, as amended by Chapters 8 (H.B. 826), 225 (H.B. 1592), and 294 (H.B. 2867), Acts of the 86th Legislature, Regular Session, 2019, are reenacted and amended to read as follows:

(1)  "Health care professional staff members or students" means:

(A)  physicians, dentists, veterinarians, podiatrists, physician assistants, nurses, pharmacists, and other health care providers who:

(i)  are appointed to the faculty or employed by or volunteer for The University of Texas System, The Texas A&M University System, the Texas Tech University System, the Texas State University System, [~~the Sam Houston State University College of Osteopathic Medicine,~~] the University of Houston System, [~~the University of Houston College of Medicine,~~] Stephen F. Austin State University, or the University of North Texas System; and

(ii)  either:

(a)  are appointed or employed on a full-time basis; or

(b)  are appointed or volunteer on a part-time basis and who devote their total professional service to providing health services or provide services to patients by assignment from the department chairman; and

(B)  interns, residents, fellows, medical students, dental students, veterinary students, students of osteopathic medicine, nursing students, pharmacy students, and students of any other health care profession that requires a license, certificate, or other authorization under Title 3, Occupations Code, participating in a patient-care program in The University of Texas System, The Texas A&M University System, the Texas Tech University System, the Texas State University System, [~~the Sam Houston State University College of Osteopathic Medicine,~~] the University of Houston System, [~~the University of Houston College of Medicine,~~] Stephen F. Austin State University, or the University of North Texas System.

(3)  "Board" means the board of regents of The University of Texas System, the board of regents of The Texas A&M University System, the board of regents of the Texas Tech University System, the board of regents of the Texas State University System, the board of regents of the University of Houston System, the board of regents of Stephen F. Austin State University, or the board of regents of the University of North Texas System.

SECTION 5.023.  Sections 59.02(a) and (c), Education Code, as amended by Chapters 8 (H.B. 826), 225 (H.B. 1592), and 294 (H.B. 2867), Acts of the 86th Legislature, Regular Session, 2019, are reenacted and amended to read as follows:

(a)  Each board may establish a separate self-insurance fund to pay any damages adjudged in a court of competent jurisdiction or a settlement of any health care liability claim against a health care professional staff member or student arising from the exercise of the member's or student's appointment, duties, or training with The University of Texas System, The Texas A&M University System, the Texas Tech University System, the Texas State University System, [~~the Sam Houston State University College of Osteopathic Medicine,~~] the University of Houston System, [~~the University of Houston College of Medicine,~~] Stephen F. Austin State University, or the University of North Texas System.

(c)  On the establishment of each fund, transfers to the fund shall be made in an amount and at such intervals as determined by the board. Each board may receive and accept any gifts or donations specified for the purposes of this subchapter and deposit those gifts or donations into the fund. Each board may invest money deposited in the fund, and any income received shall be retained in the fund. The money shall be deposited in any of the approved depository banks of The University of Texas System, The Texas A&M University System, the Texas Tech University System, the Texas State University System, the University of Houston System, Stephen F. Austin State University, or the University of North Texas System. All expenditures from the funds shall be paid pursuant to approval by the boards.

SECTION 5.024.  Section 59.06, Education Code, as amended by Chapters 8 (H.B. 826) and 225 (H.B. 1592), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and amended to read as follows:

Sec. 59.06.  LIMITATION ON APPROPRIATED FUNDS. Funds appropriated by the legislature to The University of Texas System, The Texas A&M University System, the Texas Tech University System, the Texas State University System, the University of Houston System, [~~to the University of Houston for the University of Houston College of Medicine,~~] Stephen F. Austin State University, or the University of North Texas System from the General Revenue Fund may not be used to establish or maintain the fund, to purchase insurance, or to employ private legal counsel.

SECTION 5.025.  Section 63.002(c), Education Code, as amended by Chapters 8 (H.B. 826), 294 (H.B. 2867), and 517 (S.B. 479), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and amended to read as follows:

(c)  The amount available for distribution from the fund may be appropriated only for programs that benefit medical research, health education, or treatment programs at the following health-related institutions of higher education:

(1)  The University of Texas Health Science Center at San Antonio;

(2)  The University of Texas M. D. Anderson Cancer Center;

(3)  The University of Texas Southwestern Medical Center;

(4)  The University of Texas Medical Branch at Galveston;

(5)  The University of Texas Health Science Center at Houston;

(6)  The University of Texas Health Science Center at Tyler;

(7)  The University of Texas Health Science Center--South Texas and its component institutions, if established under Subchapter N, Chapter 74;

(8)  The Texas A&M University Health Science Center;

(9)  the University of North Texas Health Science Center at Fort Worth;

(10)  the Texas Tech University Health Sciences Center;

(11)  the Texas Tech University Health Sciences Center at El Paso;

(12)  the University of Houston College of Medicine; [~~and~~]

(13)  the Sam Houston State University College of Osteopathic Medicine; [~~and~~]

(14)  the Dell Medical School at The University of Texas at Austin; and

(15) [~~(13)~~]  Baylor College of Medicine, if a contract between Baylor College of Medicine and the Texas Higher Education Coordinating Board is in effect under Section 61.092.

ARTICLE 6. CHANGES RELATING TO ELECTION CODE

SECTION 6.001.  Section 13.004(c), Election Code, as amended by Chapters 469 (H.B. 4173), 489 (H.B. 3100), and 1146 (H.B. 2910), Acts of the 86th Legislature, Regular Session, 2019, is reenacted to read as follows:

(c)  The following information furnished on a registration application is confidential and does not constitute public information for purposes of Chapter 552, Government Code:

(1)  a social security number;

(2)  a Texas driver's license number;

(3)  a number of a personal identification card issued by the Department of Public Safety;

(4)  an indication that an applicant is interested in working as an election judge;

(5)  the residence address of the applicant, if the applicant is a federal judge or state judge, the spouse of a federal judge or state judge, the spouse of a peace officer as defined by Article 2.12, Code of Criminal Procedure, or an individual to whom Section 552.1175, Government Code, or Section 521.1211, Transportation Code, applies and the applicant:

(A)  included an affidavit with the registration application describing the applicant's status under this subdivision, if the applicant is a federal judge or state judge or the spouse of a federal judge or state judge;

(B)  provided the registrar with an affidavit describing the applicant's status under this subdivision, if the applicant is a federal judge or state judge or the spouse of a federal judge or state judge; or

(C)  provided the registrar with a completed form approved by the secretary of state for the purpose of notifying the registrar of the applicant's status under this subdivision;

(6)  the residence address of the applicant, if the applicant, the applicant's child, or another person in the applicant's household is a victim of family violence as defined by Section 71.004, Family Code, who provided the registrar with:

(A)  a copy of a protective order issued under Chapter 85, Family Code, or a magistrate's order for emergency protection issued under Article 17.292, Code of Criminal Procedure; or

(B)  other independent documentary evidence necessary to show that the applicant, the applicant's child, or another person in the applicant's household is a victim of family violence;

(7)  the residence address of the applicant, if the applicant, the applicant's child, or another person in the applicant's household is a victim of sexual assault or abuse, stalking, or trafficking of persons who provided the registrar with:

(A)  a copy of a protective order issued under Subchapter A or B, Chapter 7B, Code of Criminal Procedure, or a magistrate's order for emergency protection issued under Article 17.292, Code of Criminal Procedure; or

(B)  other independent documentary evidence necessary to show that the applicant, the applicant's child, or another person in the applicant's household is a victim of sexual assault or abuse, stalking, or trafficking of persons;

(8)  the residence address of the applicant, if the applicant:

(A)  is a participant in the address confidentiality program administered by the attorney general under Subchapter B, Chapter 58, Code of Criminal Procedure; and

(B)  provided the registrar with proof of certification under Article 58.059, Code of Criminal Procedure; or

(9)  the telephone number of any applicant submitting documentation under Subdivision (5), (6), (7), or (8).

SECTION 6.002.  Section 87.121, Election Code, as amended by Chapters 1083 (H.B. 1850) and 1215 (S.B. 902), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and amended to read as follows:

Sec. 87.121.  EARLY VOTING ROSTERS. (a) The early voting clerk shall maintain for each election a roster listing each person who votes an early voting ballot by personal appearance and a roster listing each person to whom an early voting ballot to be voted by mail is sent.

(b)  For each person listed, the applicable roster must include:

(1)  the person's name, address, and voter registration number;

(2)  an identification of the person's county election precinct of registration; and

(3)  the date of voting or the date the ballot was mailed to the person, as applicable.

(c)  Each roster shall be updated daily.

(d)  Each roster may be maintained in any form approved by the secretary of state.

(e)  The clerk shall preserve each roster after the election for the period for preserving the precinct election records.

(f)  Information on the roster for a person to whom an early voting mail ballot has been sent is not available for public inspection, except to the voter seeking to verify that the information pertaining to the voter is accurate, until the first business day after election day.

(g)  Information on the roster for a person who votes an early voting ballot by personal appearance shall be made available for public inspection as provided by Subsection (i) not later than 11 a.m. on the day after the date the information is entered on the roster under Subsection (c).

(h)  Information on the roster for a person who votes an early voting ballot by mail shall be made available for public inspection as provided by Subsection (i) not later than 11 a.m. on the day following the day the early voting clerk receives a ballot voted by mail.

(i)  The information under Subsections (g) and (h) must be made available:

(1)  for an election in which the county clerk is the early voting clerk:

(A)  on the publicly accessible Internet website of the county; or

(B)  if the county does not maintain a website, on the bulletin board used for posting notice of meetings of the commissioners court; or

(2)  for an election not described by Subdivision (1):

(A)  on the publicly accessible Internet website of the authority ordering the election; or

(B)  if the authority ordering the election does not maintain a website, on the bulletin board used for posting notice of meetings of the governing body of the authority.

(j) [~~(i)~~]  The early voting clerk for a primary election or the general election for state and county officers shall submit to the secretary of state for posting on the secretary of state's Internet website the information described by:

(1)  Subsection (g) not later than 11 a.m. on the day after the date the information is entered on the roster under Subsection (c); and

(2)  Subsection (h) not later than 11 a.m. on the day following the day the early voting clerk receives a ballot voted by mail.

(k) [~~(j)~~]  The secretary of state shall [~~make any early voting roster created under this section available to the public on the secretary's Internet website.~~

[~~(j)  The secretary of state shall~~] post the information described by Subsection (j) [~~(i)~~] on the secretary of state's Internet website in a downloadable format.

(l) [~~(k)~~]  The secretary of state shall create a system for an early voting clerk for a primary election or the general election for state and county officers to provide the information to the secretary of state for posting on the secretary of state's Internet website under Subsection (j) [~~(i)~~].

SECTION 6.003.  Section 172.113(e), Election Code, is amended to read as follows:

(e)  On completing the tabulation, the authority shall:

(1)  deliver it to the general custodian; or

(2)  post the tabulation on:

(A)  [~~on~~] the county's website; and

(B)  if required by secretary of state rule, the secretary of state's website.

ARTICLE 7. CHANGES RELATING TO FAMILY CODE

SECTION 7.001.  Section 33.006, Family Code, is amended to correct a reference to read as follows:

Sec. 33.006.  GUARDIAN AD LITEM IMMUNITY. A guardian ad litem appointed under this chapter and acting in the course and scope of the appointment is not liable for damages arising from an act or omission of the guardian ad litem committed in good faith. The immunity granted by this section does not apply if the conduct of the guardian ad litem is committed in a manner described by Sections 107.009(b)(1)-(3) [~~107.003(b)(1)-(4)~~].

ARTICLE 8. CHANGES RELATING TO FINANCE CODE

SECTION 8.001.  Section 184.003(e), Finance Code, is amended to conform to Section 23, Chapter 528 (H.B. 2155), Acts of the 77th Legislature, Regular Session, 2001, to read as follows:

(e)  Subject to the exercise of prudent judgment, a state trust company may invest its secondary capital in real property. The factors to be considered by a state trust company in exercise of prudent judgment include the factors contained in Section 184.101(e) [~~184.101(f)~~].

ARTICLE 9. CHANGES RELATING TO GOVERNMENT CODE

PART A. GENERAL CHANGES

SECTION 9.001.  Section 25.0202(a), Government Code, as amended by Chapters 606 (S.B. 891) and 696 (S.B. 2342), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and amended to read as follows:

(a)  In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Bosque County has concurrent jurisdiction with the district court in:

(1)  family law cases and proceedings; [~~and~~]

(2)  contested probate matters under Section 32.003, Estates Code; and

(3) [~~(4)~~]  felony cases transferred from the district court to conduct arraignments, pretrial hearings, and motions to adjudicate or revoke and to accept guilty pleas.

SECTION 9.002.  Section 54.101(b), Government Code, as added by Chapter 355 (H.B. 452), Acts of the 86th Legislature, Regular Session, 2019, is repealed as duplicative of Section 54.101(b), Government Code, as added by Chapter 606 (S.B. 891), Acts of the 86th Legislature, Regular Session, 2019.

SECTION 9.003.  Subtitle I, Title 2, Government Code, is repealed as duplicative of the substantive provisions referenced in the subtitle.

SECTION 9.004.  The following provisions are repealed as duplicative of Section 418.056, Government Code, as added by Chapter 602 (S.B. 799), Acts of the 86th Legislature, Regular Session, 2019:

(1)  Section 418.054, Government Code, as added by Chapter 576 (S.B. 289), Acts of the 86th Legislature, Regular Session, 2019; and

(2)  Section 418.054, Government Code, as added by Chapter 1018 (H.B. 6), Acts of the 86th Legislature, Regular Session, 2019.

SECTION 9.005.  Section 436.054(b), Government Code, as amended by Chapters 276 (S.B. 2131) and 800 (H.B. 2119), Acts of the 86th Legislature, Regular Session, 2019, is reenacted to read as follows:

(b)  The commission is a governmental body for purposes of the open meetings law, Chapter 551. Except as otherwise provided by this section, Chapter 551 applies to a meeting of the commission.

SECTION 9.006. (a) Sections 478.0001(3) and (7), Government Code, as effective April 1, 2021, are amended to conform to Chapter 1223 (H.B. 2402), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

(3)  "Event" means any of the following and includes any activity related to or associated with the following:

(A)  the Academy of Country Music Awards;

(B)  the Amateur Athletic Union Junior Olympic Games;

(C)  a Big 12 Football Conference Championship game;

(D)  the Breeders' Cup World Championships;

(E) [~~(D)~~]  a game of the College Football Playoff or its successor;

(F)  a CONVRG conference;

(G) [~~(E)~~]  an Elite Rodeo Association World Championship;

(H) [~~(F)~~]  a Formula One automobile race;

(I) [~~(G)~~]  the largest event held each year at a sports entertainment venue in this state with a permanent seating capacity, including grandstand and premium seating, of at least 125,000;

(J) [~~(H)~~]  the Major League Baseball All-Star Game;

(K) [~~(I)~~]  the Major League Soccer All-Star Game or the Major League Soccer Cup;

(L) [~~(J)~~]  a mixed martial arts championship;

(M) [~~(K)~~]  the Moto Grand Prix of the United States;

(N) [~~(L)~~]  the National Association for Stock Car Auto Racing (NASCAR):

(i)  All-Star Race; or

(ii)  season-ending Championship Race;

(O) [~~(M)~~]  the National Basketball Association All-Star Game;

(P) [~~(N)~~]  a National Collegiate Athletic Association Final Four tournament game;

(Q) [~~(O)~~]  the National Collegiate Athletic Association men's or women's lacrosse championships;

(R) [~~(P)~~]  a national collegiate championship of an amateur sport sanctioned by the national governing body of the sport that is recognized by the United States Olympic Committee;

(S) [~~(Q)~~]  the National Cutting Horse Association Triple Crown;

(T) [~~(R)~~]  the National Hockey League All-Star Game;

(U) [~~(S)~~]  a national political convention of the Republican National Committee or the Democratic National Committee;

(V)  a championship event in the National Reined Cow Horse Association (NRCHA) Championship Series;

(W) [~~(T)~~]  an Olympic activity, including a Junior or Senior activity, training program, or feeder program sanctioned by the United States Olympic Committee's Community Olympic Development Program;

(X) [~~(U)~~]  a presidential general election debate;

(Y) [~~(V)~~]  the Professional Rodeo Cowboys Association National Finals Rodeo;

(Z) [~~(W)~~]  a Super Bowl;

(AA) [~~(X)~~]  the United States Open Championship;

(BB) [~~(Y)~~]  a World Cup soccer game or the World Cup soccer tournament;

(CC) [~~(Z)~~]  the World Games;

(DD)  a World Wrestling Entertainment WrestleMania event; or

(EE) [~~(AA)~~]  the X Games.

(7)  "Site selection organization" means:

(A)  the Academy of Country Music;

(B)  the Amateur Athletic Union;

(C)  the Big 12 Conference;

(D)  the College Football Playoff Administration, LLC, or its successor;

(E) [~~(D)~~]  the Commission on Presidential Debates;

(F) [~~(E)~~]  the Democratic National Committee;

(G) [~~(F)~~]  Dorna Sports;

(H) [~~(G)~~]  the Elite Rodeo Association;

(I)  Encore Live;

(J) [~~(H)~~]  ESPN or an affiliate;

(K) [~~(I)~~]  the Federation Internationale de Football Association (FIFA);

(L) [~~(J)~~]  the International World Games Association;

(M) [~~(K)~~]  Major League Baseball;

(N) [~~(L)~~]  Major League Soccer;

(O) [~~(M)~~]  the National Association for Stock Car Auto Racing (NASCAR);

(P) [~~(N)~~]  the National Basketball Association;

(Q) [~~(O)~~]  the National Collegiate Athletic Association;

(R) [~~(P)~~]  the National Cutting Horse Association;

(S) [~~(Q)~~]  the National Football League;

(T) [~~(R)~~]  the National Hockey League;

(U)  the National Reined Cow Horse Association (NRCHA);

(V) [~~(S)~~]  the Professional Rodeo Cowboys Association;

(W) [~~(T)~~]  the Republican National Committee;

(X) [~~(U)~~]  the Ultimate Fighting Championship;

(Y) [~~(V)~~]  the United States Golf Association;

(Z) [~~(W)~~]  the United States Olympic Committee;

(AA)  World Wrestling Entertainment; or

(BB) [~~(X)~~]  the national governing body of a sport that is recognized by:

(i)  the Federation Internationale de l'Automobile;

(ii)  Formula One Management Limited;

(iii)  the National Thoroughbred Racing Association; or

(iv)  the United States Olympic Committee.

(b)  Section 1, Chapter 1223 (H.B. 2402), Acts of the 86th Legislature, Regular Session, 2019, which amended Sections 5A(a)(4) and (5), Chapter 1507 (S.B. 456), Acts of the 76th Legislature, Regular Session, 1999 (Article 5190.14, Vernon's Texas Civil Statutes), is repealed.

SECTION 9.007.  Section 478.0107, Government Code, as effective April 1, 2021, is amended to codify text inadvertently omitted from Chapter 301 (H.B. 4174), Acts of the 86th Legislature, Regular Session, 2019, by adding Subsection (c) to read as follows:

(c)  This section does not require disclosure of information that is confidential under Chapter 552 or confidential or privileged under other law.

SECTION 9.008.  Section 497.010(c), Government Code, is amended to conform to Section 16, Chapter 1250 (H.B. 4181), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

(c)  It is an exception to the application of this section that the article or product sold is:

(1)  a state flag or similar item produced for sale or distribution by the legislature under Section 301.071 [~~301.034~~]; or

(2)  a service provided under a contract for which the Private Sector/Prison Industry Enhancement Certification Program operated by the Bureau of Justice Assistance and authorized by 18 U.S.C. Section 1761 does not require certification.

SECTION 9.009.  Section 531.0996(e), Government Code, as added by Chapter 973 (S.B. 748), Acts of the 86th Legislature, Regular Session, 2019, is amended to conform to the repeal of Section 531.02176, Government Code, by Chapters 964 (S.B. 670) and 1061 (H.B. 1063), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

(e)  The [~~Notwithstanding Section 531.02176, the~~] commission may:

(1)  provide home telemonitoring services and necessary durable medical equipment to pilot program participants who are at risk of experiencing pregnancy-related complications, as determined by a physician, to the extent the commission anticipates the services and equipment will reduce unnecessary emergency room visits or hospitalizations; and

(2)  reimburse providers under Medicaid for the provision of home telemonitoring services and durable medical equipment under the pilot program.

SECTION 9.010.  Section 552.117(a), Government Code, as reenacted and amended by Chapters 367 (H.B. 1351), 633 (S.B. 1494), 1146 (H.B. 2910), 1213 (S.B. 662), and 1245 (H.B. 2446), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and amended to read as follows:

(a)  Information is excepted from the requirements of Section 552.021 if it is information that relates to the home address, home telephone number, emergency contact information, or social security number of the following person or that reveals whether the person has family members:

(1)  a current or former official or employee of a governmental body, except as otherwise provided by Section 552.024;

(2)  a peace officer as defined by Article 2.12, Code of Criminal Procedure, or a security officer commissioned under Section 51.212, Education Code, regardless of whether the officer complies with Section 552.024 or 552.1175, as applicable;

(3)  a current or former employee of the Texas Department of Criminal Justice or of the predecessor in function of the department or any division of the department, regardless of whether the current or former employee complies with Section 552.1175;

(4)  a peace officer as defined by Article 2.12, Code of Criminal Procedure, or other law, a reserve law enforcement officer, a commissioned deputy game warden, or a corrections officer in a municipal, county, or state penal institution in this state who was killed in the line of duty, regardless of whether the deceased complied with Section 552.024 or 552.1175;

(5)  a commissioned security officer as defined by Section 1702.002, Occupations Code, regardless of whether the officer complies with Section 552.024 or 552.1175, as applicable;

(6)  an officer or employee of a community supervision and corrections department established under Chapter 76 who performs a duty described by Section 76.004(b), regardless of whether the officer or employee complies with Section 552.024 or 552.1175;

(7)  a current or former employee of the office of the attorney general who is or was assigned to a division of that office the duties of which involve law enforcement, regardless of whether the current or former employee complies with Section 552.024 or 552.1175;

(8)  a current or former employee of the Texas Juvenile Justice Department or of the predecessors in function of the department, regardless of whether the current or former employee complies with Section 552.024 or 552.1175;

(9)  a current or former juvenile probation or supervision officer certified by the Texas Juvenile Justice Department, or the predecessors in function of the department, under Title 12, Human Resources Code, regardless of whether the current or former officer complies with Section 552.024 or 552.1175;

(10)  a current or former employee of a juvenile justice program or facility, as those terms are defined by Section 261.405, Family Code, regardless of whether the current or former employee complies with Section 552.024 or 552.1175;

(11)  a current or former member of the United States Army, Navy, Air Force, Coast Guard, or Marine Corps, an auxiliary service of one of those branches of the armed forces, or the Texas military forces, as that term is defined by Section 437.001;

(12)  a current or former district attorney, criminal district attorney, or county or municipal attorney whose jurisdiction includes any criminal law or child protective services matters, regardless of whether the current or former attorney complies with Section 552.024 or 552.1175;

(13)  a current or former employee of a district attorney, criminal district attorney, or county or municipal attorney whose jurisdiction includes any criminal law or child protective services matters, regardless of whether the current or former employee complies with Section 552.024 or 552.1175;

(14)  a current or former employee of the Texas Civil Commitment Office or of the predecessor in function of the office or a division of the office, regardless of whether the current or former employee complies with Section 552.024 or 552.1175; [~~or~~]

(15)  a current or former federal judge or state judge, as those terms are defined by Section 1.005, Election Code, or a spouse of a current or former federal judge or state judge;

(16)  a current or former child protective services caseworker, adult protective services caseworker, or investigator for the Department of Family and Protective Services, regardless of whether the caseworker or investigator complies with Section 552.024 or 552.1175, or a current or former employee of a department contractor performing child protective services caseworker, adult protective services caseworker, or investigator functions for the contractor on behalf of the department; [~~or~~]

(17) [~~(16)~~]  a state officer elected statewide or a member of the legislature, regardless of whether the officer or member complies with Section 552.024 or 552.1175;

(18) [~~(16)~~]  a current or former United States attorney or assistant United States attorney and the spouse or child of the attorney; or

(19) [~~(16)~~]  a firefighter or volunteer firefighter or emergency medical services personnel as defined by Section 773.003, Health and Safety Code, regardless of whether the firefighter or volunteer firefighter or emergency medical services personnel comply with Section 552.024 or 552.1175, as applicable.

SECTION 9.011.  Section 552.1175(a), Government Code, as amended by Chapters 367 (H.B. 1351), 633 (S.B. 1494), 1146 (H.B. 2910), 1213 (S.B. 662), and 1245 (H.B. 2446), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and amended to read as follows:

(a)  This section applies only to:

(1)  peace officers as defined by Article 2.12, Code of Criminal Procedure, or special investigators as described by Article 2.122, Code of Criminal Procedure;

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

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

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

(5)  a current or former district attorney, criminal district attorney, or county or municipal attorney whose jurisdiction includes any criminal law or child protective services matters;

(5-a) a current or former employee of a district attorney, criminal district attorney, or county or municipal attorney whose jurisdiction includes any criminal law or child protective services matters;

(6)  officers and employees of a community supervision and corrections department established under Chapter 76 who perform a duty described by Section 76.004(b);

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

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

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

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

(11)  current or former employees of a juvenile justice program or facility, as those terms are defined by Section 261.405, Family Code;

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

(13)  federal judges and state judges as defined by Section 1.005, Election Code;

(14)  current or former employees of the Texas Civil Commitment Office or of the predecessor in function of the office or a division of the office; [~~and~~]

(15)  a current or former member of the United States Army, Navy, Air Force, Coast Guard, or Marine Corps, an auxiliary service of one of those branches of the armed forces, or the Texas military forces, as that term is defined by Section 437.001;

(16) [~~(15)~~]  a current or former child protective services caseworker, adult protective services caseworker, or investigator for the Department of Family and Protective Services or a current or former employee of a department contractor performing child protective services caseworker, adult protective services caseworker, or investigator functions for the contractor on behalf of the department; [~~and~~]

(17) [~~(15)~~]  state officers elected statewide and members of the legislature; and

(18) [~~(15)~~]  a firefighter or volunteer firefighter or emergency medical services personnel as defined by Section 773.003, Health and Safety Code.

SECTION 9.012.  Sections 659.016(e) and (f), Government Code, are amended to correct a reference to read as follows:

(e)  A deduction may be made from the salary of an employee who is exempt as an executive, professional, or administrative employee under 29 U.S.C. Section 213(a)(1) if:

(1)  the employee is not at work for a full day or longer for personal reasons other than sickness, accident, jury duty, attendance as a witness at a judicial proceeding, or temporary military leave;

(2)  the employee is not at work for a full day or longer because of sickness or disability, including sickness or disability covered by workers' compensation benefits, and the employee's paid sick leave or workers' compensation benefits have been exhausted;

(3)  the deduction is a penalty imposed for a violation of a significant safety rule relating to prevention of serious danger in the workplace to other persons, including other employees; or

(4)  in accordance with the special provisions applicable to executive, professional, or administrative employees of public agencies set forth in 29 C.F.R. Section 541.710 [~~541.5d~~], the employee is not at work for less than one day for personal reasons or because of illness or injury and accrued leave is not used by the employee because:

(A)  permission to use accrued leave was not sought or was denied;

(B)  accrued leave has been exhausted; or

(C)  the employee chooses to use leave without pay.

(f)  In accordance with 29 C.F.R. Section 541.710 [~~541.5d~~], a deduction from the pay of an executive, professional, or administrative employee because of an absence from work caused by a furlough related to the budget does not affect the employee's status as an employee paid on a salary basis, except for any workweek in which the furlough occurs and for which the employee's pay is accordingly reduced.

SECTION 9.013.  Section 772.0064(i), Government Code, is amended to conform to Chapter 469 (H.B. 4173), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

(i)  The task force shall:

(1)  develop policy recommendations to allow the state to:

(A)  effectively coordinate funding for services to child and adult survivors; and

(B)  better prevent, investigate, and prosecute incidents of sexual assault and other sex offenses;

(2)  facilitate communication and cooperation between state agencies that have duties relating to the prevention, investigation, or prosecution of sexual assault or other sex offenses or services provided to survivors in order to identify and coordinate state resources available for assisting survivors;

(3)  collect, analyze, and make publicly available information, organized by region, regarding the prevention, investigation, and prosecution of sexual assault and other sex offenses and services provided to survivors, including a list of SAFE-ready facilities designated under Section 323.0015, Health and Safety Code;

(4)  make and periodically update recommendations regarding the collection, preservation, tracking, analysis, and destruction of evidence in cases of sexual assault or other sex offenses, including recommendations:

(A)  to the attorney general regarding:

(i)  evidence collection kits for use in the collection and preservation of evidence of sexual assault or other sex offenses;

(ii)  protocols for the collection and preservation of evidence of sexual assault or other sex offenses;

(iii)  the curriculum for training programs on collecting and preserving evidence of sexual assault and other sex offenses; and

(iv)  the requirements for certification of sexual assault nurse examiners; and

(B)  to other appropriate individuals or organizations, regarding:

(i)  the procedures for obtaining patient authorization for forensic medical examinations of child and adult survivors under Subchapters F and G, Chapter 56A [~~Articles 56.06 and 56.065~~], Code of Criminal Procedure;

(ii)  the requirements for maintaining an appropriate evidentiary chain of custody;

(iii)  the identification and reporting of untested evidence throughout the state; and

(iv)  standards for the submission of evidence to forensic laboratories for analysis, including procedures for submitting evidence in cases for which no evidence has been previously submitted or tested;

(5)  advise and provide resources to the Texas Commission on Law Enforcement and other law enforcement organizations to improve law enforcement officer training related to the investigation and documentation of cases involving sexual assault and other sex offenses, with a focus on the interactions between law enforcement officers and survivors;

(6)  provide to law enforcement agencies, prosecutors, and judges with jurisdiction over sexual assault or other sex offense cases information and resources to maximize effective and empathetic investigation, prosecution, and hearings, including information and resources:

(A)  regarding trauma-informed practices and the dynamics and effects of sexual assault and other sex offenses on child and adult survivors;

(B)  intended to improve the understanding of and the response to sexual assault or other sex offenses;

(C)  regarding best practices in the investigation and prosecution of sexual assault or other sex offenses; and

(D)  for judges regarding common issues in the criminal trials of sexual assault and other sex offenses;

(7)  biennially contract for a survey of the resources provided to survivors by nonprofit organizations, health care facilities, institutions of higher education, sexual assault response teams, and other governmental entities in each region of the state;

(8)  make recommendations as necessary to improve the collecting and reporting of data on the investigation and prosecution of sexual assault and other sex offenses; and

(9)  develop a statewide standard for best practices in the funding and provision of services to survivors by nonprofit organizations, health care facilities, institutions of higher education, sexual assault response teams, and other governmental entities.

SECTION 9.014.  Section 2054.352(a), Government Code, as amended by Chapters 467 (H.B. 4170), 768 (H.B. 1501), and 1232 (H.B. 1523), Acts of the 86th Legislature, Regular Session, 2019, is reenacted to read as follows:

(a)  The following licensing entities shall participate in the system established under Section 2054.353:

(1)  Texas Board of Chiropractic Examiners;

(2)  Judicial Branch Certification Commission;

(3)  State Board of Dental Examiners;

(4)  Texas Funeral Service Commission;

(5)  Texas Medical Board;

(6)  Texas Board of Nursing;

(7)  Texas Optometry Board;

(8)  Department of Agriculture, for licenses issued under Chapter 1951, Occupations Code;

(9)  Texas State Board of Pharmacy;

(10)  Executive Council of Physical Therapy and Occupational Therapy Examiners;

(11)  Texas State Board of Plumbing Examiners;

(12)  Texas Behavioral Health Executive Council;

(13)  State Board of Veterinary Medical Examiners;

(14)  Texas Real Estate Commission;

(15)  Texas Appraiser Licensing and Certification Board;

(16)  Texas Department of Licensing and Regulation;

(17)  Texas State Board of Public Accountancy;

(18)  State Board for Educator Certification;

(19)  Texas Board of Professional Engineers and Land Surveyors;

(20)  Health and Human Services Commission;

(21)  Texas Board of Architectural Examiners;

(22)  Texas Racing Commission;

(23)  Texas Commission on Law Enforcement; and

(24)  Texas Private Security Board.

SECTION 9.015.  Section 2400.0015, Government Code, as added by Chapter 666 (S.B. 1978), Acts of the 86th Legislature, Regular Session, 2019, is amended to conform to Section 21.009(35), Chapter 467 (H.B. 4170), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

Sec. 2400.0015.  APPLICABILITY. This chapter does not apply to an investment prohibited under Chapter 808 or a contract prohibited under Chapter 2271 [~~2270, as added by Chapter 1 (H.B. 89), Acts of the 85th Legislature, Regular Session, 2017~~].

PART B. CHANGES RELATING TO THE SECURITIES ACT

SECTION 9.101.  Section 4002.002, Government Code, as effective January 1, 2022, is amended to conform to Section 1, Chapter 772 (H.B. 1535), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

Sec. 4002.002.  SUNSET PROVISION. The State Securities Board is subject to Chapter 325 (Texas Sunset Act). Unless continued in existence as provided by that chapter, the board is abolished and this title expires September 1, 2031 [~~2019~~].

SECTION 9.102.  Section 4002.058, Government Code, as effective January 1, 2022, is amended to conform to Section 2, Chapter 772 (H.B. 1535), Acts of the 86th Legislature, Regular Session, 2019, by amending Subsection (b) and adding Subsection (d) to read as follows:

(b)  The training program must provide the person with information regarding:

(1)  the law governing [~~legislation that created the~~] board operations;

(2)  the programs, [~~operated by the board;~~

[~~(3) the role and~~] functions, rules, and budget of the board;

(3)  the scope of and limitations on the rulemaking authority [~~(4) the rules~~] of the board[~~, with an emphasis on the rules that relate to disciplinary and investigatory authority~~];

(4)  the types of board rules, interpretations, and enforcement actions that may implicate federal antitrust law by limiting competition or impacting prices charged by persons engaged in a profession or business the board regulates, including any rule, interpretation, or enforcement action that:

(A)  regulates the scope of practice of persons in a profession or business the board regulates;

(B)  restricts advertising by persons in a profession or business the board regulates;

(C)  affects the price of goods or services provided by persons in a profession or business the board regulates; or

(D)  restricts participation in a profession or business the board regulates;

(5)  [~~the current budget for the board;~~

[~~(6)~~]  the results of the most recent formal audit of the board;

(6) [~~(7)~~]  the requirements of:

(A)  laws relating to [~~the~~] open meetings, [~~law, Chapter 551;~~

[~~(B)  the~~] public information [~~law~~], [~~Chapter 552;~~

[~~(C)  the~~] administrative procedure [~~law~~], [~~Chapter 2001;~~] and disclosing conflicts of interest; and

(B) [~~(D)~~]  other laws applicable [~~relating~~] to members of a state policymaking body in performing their duties [~~public officials, including conflict-of-interest laws~~]; and

(7) [~~(8)~~]  any applicable ethics policies adopted by the board or the Texas Ethics Commission.

(d)  The commissioner shall create a training manual that includes the information required by Subsection (b). The commissioner shall distribute a copy of the training manual annually to each member of the board. Each member of the board shall sign and submit to the commissioner a statement acknowledging that the member received and has reviewed the training manual.

SECTION 9.103.  Sections 4002.107 and 4007.051, Government Code, as effective January 1, 2022, are amended to conform to Section 3, Chapter 772 (H.B. 1535), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

Sec. 4002.107.  WRITTEN EMPLOYEE COMPLAINT PROCEDURE. (a) The commissioner or the commissioner's designee shall maintain a system to promptly and efficiently act [~~file~~] on complaints [~~each written complaint~~] filed with the commissioner or board concerning an employee or former employee. The commissioner or the commissioner's designee shall maintain [~~The file must include~~] the information listed in Section 4007.051 for files maintained under that section for complaints against persons registered under this title.

(b)  The commissioner or the commissioner's designee shall make information available describing [~~provide to the person filing the complaint and to each person who is a subject of the complaint a copy of~~] the board's [~~policies and~~] procedures for [~~relating to~~] complaint investigation and resolution.

(c)  The commissioner or the commissioner's designee[~~, at least quarterly until final disposition of the complaint,~~] shall periodically notify the [~~person filing the~~] complaint parties [~~and each person who is a subject of the complaint~~] of the status of the complaint until final disposition [~~investigation~~] unless the notice would jeopardize a law enforcement [~~an undercover~~] investigation.

Sec. 4007.051.  COMPLAINTS FILED WITH COMMISSIONER OR BOARD. (a) The commissioner or the commissioner's designee shall maintain a system to promptly and efficiently act [~~file~~] on complaints [~~each written complaint~~] filed with the commissioner or board concerning a person registered under this title. The commissioner or the commissioner's designee shall maintain information about parties to the complaint, the subject matter of the complaint, a summary of the results of the review or investigation of the complaint, and its disposition [~~The file must include:~~

[~~(1)  the name of the person who filed the complaint;~~

[~~(2)  the date the complaint was received by the commissioner or board;~~

[~~(3)  the subject matter of the complaint;~~

[~~(4)  the name of each person contacted in relation to the complaint;~~

[~~(5)  a summary of the results of the review or investigation of the complaint; and~~

[~~(6)  an explanation of the reason the file was closed, if the commissioner closed the file without taking action other than the investigation of the complaint~~].

(b)  The commissioner or the commissioner's designee shall make information available describing [~~provide to the person filing the complaint and to each person who is a subject of the complaint a copy of~~] the board's [~~policies and~~] procedures for [~~relating to~~] complaint investigation and resolution.

(c)  The commissioner or the commissioner's designee[~~, at least quarterly until final disposition of the complaint,~~] shall periodically notify the [~~person filing the~~] complaint parties [~~and each person who is a subject of the complaint~~] of the status of the complaint until final disposition [~~investigation,~~] unless the notice would jeopardize a law enforcement [~~an undercover~~] investigation.

SECTION 9.104.  Subchapter D, Chapter 4002, Government Code, as effective January 1, 2022, is amended to conform to Section 4, Chapter 772 (H.B. 1535), Acts of the 86th Legislature, Regular Session, 2019, by adding Section 4002.1535 to read as follows:

Sec. 4002.1535.  ALTERNATIVE RULEMAKING AND DISPUTE RESOLUTION. (a) The board shall develop a policy to encourage the use of:

(1)  negotiated rulemaking procedures under Chapter 2008 for the adoption of board rules; and

(2)  appropriate alternative dispute resolution procedures under Chapter 2009 to assist in the resolution of internal and external disputes under the board's jurisdiction.

(b)  The board's procedures relating to alternative dispute resolution must conform, to the extent possible, to any model guidelines issued by the State Office of Administrative Hearings for the use of alternative dispute resolution by state agencies.

(c)  The board shall:

(1)  coordinate the implementation of the policy adopted under Subsection (a);

(2)  provide training as needed to implement the procedures for negotiated rulemaking or alternative dispute resolution; and

(3)  collect data concerning the effectiveness of those procedures.

SECTION 9.105.  Section 4002.163, Government Code, as effective January 1, 2022, is amended to conform to Section 1, Chapter 772 (H.B. 1535), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

Sec. 4002.163.  ANNUAL REPORT. On or before January 1 of each year, the board, with the advice of the commissioner, shall report to the governor and the presiding officer of each house of the legislature about the administration of this title and plans and needs for future securities regulation. The report must include:

(1)  a detailed accounting of all funds received and disbursed by the board during the preceding year, including the amount spent by the board assisting in the criminal prosecution of cases under Section 4007.001(e); and

(2)  with respect to cases referred during the preceding year by the board under Section 4007.001(c), a breakdown by county and district attorney of the number of cases where:

(A)  criminal charges were filed;

(B)  prosecution is ongoing; or

(C)  prosecution was completed.

SECTION 9.106.  Section 4004.351(2), Government Code, as effective January 1, 2022, is amended to conform to Section 21.001(19), Chapter 467 (H.B. 4170), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

(2)  "Exploitation," "financial exploitation," and "vulnerable adult" have the meanings assigned by Section 281.001 [~~280.001~~], Finance Code.

SECTION 9.107.  Section 4006.054, Government Code, as effective January 1, 2022, is amended to conform to Section 7, Chapter 772 (H.B. 1535), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

Sec. 4006.054.  AMENDMENT OR DUPLICATE OF REGISTRATION CERTIFICATE OR EVIDENCE OF REGISTRATION[~~; REGISTRATION OF BRANCH OFFICE~~]. The commissioner or board shall charge and collect a fee of $25 for a filing to:

(1)  amend the registration certificate of a dealer or investment adviser or the evidence of registration of an agent or investment adviser representative; or

(2)  issue a duplicate certificate or evidence of registration[~~; or~~

[~~(3)  register a branch office~~].

SECTION 9.108.  Section 4007.001, Government Code, as effective January 1, 2022, is amended to conform to Section 5, Chapter 772 (H.B. 1535), Acts of the 86th Legislature, Regular Session, 2019, by adding Subsections (e), (f), (g), (h), and (i) to read as follows:

(e)  Subject to Subsection (h), the board may provide assistance to a county or district attorney who requests assistance in a criminal prosecution involving an alleged violation of this title that is referred by the board to the attorney under Subsection (c).

(f)  Before referring a case to a county or district attorney for prosecution as required by Subsection (c), the commissioner shall make a determination of:

(1)  the potential resources of the board, including the number and types of board employees, that would be needed to assist in the prosecution of the case; and

(2)  the availability of board employees and other resources necessary to carry out any request for assistance.

(g)  The board by rule shall establish a process to enable the commissioner to determine whether to provide any requested assistance to the appropriate prosecuting attorney following referral of a case under Subsection (c) and, if so, the appropriate amount of such assistance. The rules must require the commissioner to consider:

(1)  whether resources are available after taking into account any ongoing board investigations, investigations under Section 4007.053, and criminal prosecutions for which assistance is being provided;

(2)  the seriousness of the alleged violation or violations in the case, including the severity of the harm and number of victims involved; and

(3)  the state's interest in the prosecution of a particular case and the availability of other methods of redress for the alleged violations, including the pursuit of a civil action.

(h)  In response to a request for assistance under Subsection (e), the board may provide only those board employees or resources, if any, determined to be available for that case in accordance with Subsection (f). If a change in circumstances occurs after the time of the determination under Subsection (f), the commissioner may reconsider the commissioner's determination under that subsection and may increase or reduce the number of board employees or other resources to be made available for a case using the process established under Subsection (g).

(i)  The attorney general, at least biennially, shall review a sample of criminal cases for which the board provided requested assistance to county or district attorneys under this section. The review must include an evaluation of the pre-referral determination of available resources to support each case being reviewed as required by Subsection (f) and any subsequent determination of those resources made by the commissioner as authorized under Subsection (h). The attorney general may report any concerns the attorney general has in connection with the board's provision of assistance to the standing committee of each house of the legislature with primary jurisdiction over board matters.

SECTION 9.109.  Subchapter C, Chapter 4007, Government Code, as effective January 1, 2022, is amended to conform to Section 6, Chapter 772 (H.B. 1535), Acts of the 86th Legislature, Regular Session, 2019, by adding Section 4007.108 to read as follows:

Sec. 4007.108.  REFUND. (a) Subject to Subsection (b), the commissioner may order a dealer, agent, investment adviser, or investment adviser representative regulated under this title to pay a refund to a client or a purchaser of securities or services from the person or company as provided in an agreed order or an enforcement order instead of or in addition to imposing an administrative penalty or other sanctions.

(b)  The amount of a refund ordered as provided in an agreed order or an enforcement order may not exceed the amount the client or purchaser paid to the dealer, agent, investment adviser, or investment adviser representative for a service or transaction regulated by the board. The commissioner may not require payment of other damages or estimate harm in a refund order.

SECTION 9.110.  Sections 1 through 7, Chapter 772 (H.B. 1535), Acts of the 86th Legislature, Regular Session, 2019, which amended The Securities Act (Article 581-1 et seq., Vernon's Texas Civil Statutes), are repealed.

SECTION 9.111.  The heading to Title 19, Vernon's Texas Civil Statutes, is repealed.

SECTION 9.112.  This part takes effect January 1, 2022.

ARTICLE 10. CHANGES RELATING TO HEALTH AND SAFETY CODE

SECTION 10.001.  Section 34.0158, Health and Safety Code, as added by Chapter 514 (S.B. 436), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 34.01581, Health and Safety Code, and amended to conform to Chapter 601 (S.B. 750), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

Sec. 34.01581 [~~34.0158~~]. OPIOID USE DISORDER MATERNAL AND NEWBORN HEALTH INITIATIVES. (a) The department, in collaboration with the review committee [~~task force~~], shall develop and implement initiatives to:

(1)  improve screening procedures to better identify and care for women with opioid use disorder;

(2)  improve continuity of care for women with opioid use disorder by ensuring that health care providers refer the women to appropriate treatment and verify the women receive the treatment;

(3)  optimize health care provided to pregnant women with opioid use disorder;

(4)  optimize health care provided to newborns with neonatal abstinence syndrome by encouraging maternal engagement;

(5)  increase access to medication-assisted treatment for women with opioid use disorder during pregnancy and the postpartum period; and

(6)  prevent opioid use disorder by reducing the number of opioid drugs prescribed before, during, and following a delivery.

(b)  Before implementing the initiatives described by Subsection (a), the department may conduct a limited pilot program in one or more geographic areas of this state to implement the initiatives at hospitals licensed under Chapter 241 with expertise in caring for newborns with neonatal abstinence syndrome or related conditions. The pilot program must conclude not later than March 1, 2020. This subsection expires September 1, 2021.

(c)  Using existing resources, the department, in collaboration with the review committee [~~task force~~], shall promote and facilitate the use among health care providers in this state of maternal health informational materials, including tools and procedures related to best practices in maternal health to improve obstetrical care for women with opioid use disorder.

SECTION 10.002.  Section 34.020(e), Health and Safety Code, as added by Chapter 973 (S.B. 748), Acts of the 86th Legislature, Regular Session, 2019, is amended to conform to the repeal of Section 531.02176, Government Code, by Chapters 964 (S.B. 670) and 1061 (H.B. 1063), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

(e)  If [~~Notwithstanding Section 531.02176, Government Code, and if~~] the commission determines it is feasible and cost-effective, the commission may:

(1)  provide home telemonitoring services and necessary durable medical equipment to women participating in the program to the extent the commission anticipates the services and equipment will reduce unnecessary emergency room visits or hospitalizations; and

(2)  reimburse providers under Medicaid for the provision of home telemonitoring services and durable medical equipment under the program.

SECTION 10.003.  Section 241.1031(a), Health and Safety Code, is amended to conform to Chapter 469 (H.B. 4173), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

(a)  A hospital may not destroy a medical record from the forensic medical examination of a sexual assault victim conducted under Subchapter F or G, Chapter 56A [~~Article 56.06 or 56.065~~], Code of Criminal Procedure, until the 20th anniversary of the date the record was created.

SECTION 10.004.  (a) Section 254.156, Health and Safety Code, as added by Chapter 1062 (H.B. 1112), Acts of the 86th Legislature, Regular Session, 2019, is repealed as duplicative of Section 254.158, Health and Safety Code, as added by Chapter 1093 (H.B. 2041), Acts of the 86th Legislature, Regular Session, 2019.

(b)  Sections 254.203(a) and (b), Health and Safety Code, as amended by Chapters 1062 (H.B. 1112) and 1093 (H.B. 2041), Acts of the 86th Legislature, Regular Session, 2019, are reenacted to read as follows:

(a)  The department may petition a district court for a temporary restraining order to restrain a continuing violation of the standards or licensing requirements provided under this chapter or of Section 254.158 if the department finds that the violation creates an immediate threat to the health and safety of the patients of a facility or of the public.

(b)  A district court, on petition of the department and on a finding by the court that a person is violating the standards or licensing requirements provided under this chapter or is violating Section 254.158, may by injunction:

(1)  prohibit a person from continuing the violation;

(2)  restrain or prevent the establishment or operation of a facility without a license issued under this chapter; or

(3)  grant any other injunctive relief warranted by the facts.

SECTION 10.005.  Section 323.005(a), Health and Safety Code, as amended by Chapters 408 (H.B. 8), 469 (H.B. 4173), and 1037 (H.B. 616), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and further amended to conform to Chapter 469 (H.B. 4173), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

(a)  The department shall develop a standard information form for sexual assault survivors that must include:

(1)  a detailed explanation of the forensic medical examination required to be provided by law, including a statement that photographs may be taken of the genitalia;

(2)  information regarding treatment of sexually transmitted infections and pregnancy, including:

(A)  generally accepted medical procedures;

(B)  appropriate medications; and

(C)  any contraindications of the medications prescribed for treating sexually transmitted infections and preventing pregnancy;

(3)  information regarding drug-facilitated sexual assault, including the necessity for an immediate urine test for sexual assault survivors who may have been involuntarily drugged;

(4)  information regarding crime victims compensation, including:

(A)  a statement that public agencies are responsible for paying for the forensic portion of an examination conducted under Subchapter F or G, Chapter 56A [~~Article 56.06 or 56.065~~], Code of Criminal Procedure, and for the evidence collection kit used in connection with the examination and that the health care facility or provider, as applicable, is responsible for seeking reimbursement for those costs; and

(B)  information regarding the reimbursement of the survivor for the medical portion of the examination;

(5)  an explanation that consent for the forensic medical examination may be withdrawn at any time during the examination;

(6)  the name and telephone number of sexual assault crisis centers statewide; and

(7)  information regarding postexposure prophylaxis for HIV infection.

SECTION 10.006.  Section 323.0052(a), Health and Safety Code, is amended to conform to Chapter 469 (H.B. 4173), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

(a)  The department shall develop a standard information form that, as described by Subsection (b), is to be provided to sexual assault survivors who have not given signed, written consent to a health care facility to release the evidence as provided by Section 420.0735, Government Code. The form must include the following information:

(1)  the Department of Public Safety's policy regarding storage of evidence of a sexual assault or other sex offense that is collected under Subchapter G, Chapter 56A [~~Article 56.065~~], Code of Criminal Procedure, including:

(A)  a statement that the evidence will be stored until the fifth anniversary of the date on which the evidence was collected before the evidence becomes eligible for destruction; and

(B)  the department's procedures regarding the notification of the survivor before a planned destruction of the evidence;

(2)  a statement that the survivor may request the release of the evidence to a law enforcement agency and report a sexual assault or other sex offense to the agency at any time;

(3)  the name, phone number, and e-mail address of the law enforcement agency with jurisdiction over the offense; and

(4)  the name and phone number of a local rape crisis center.

SECTION 10.007.  Section 382.05155(d), Health and Safety Code, as amended by Chapters 393 (S.B. 698) and 1173 (H.B. 3317), Acts of the 86th Legislature, Regular Session, 2019, is reenacted to read as follows:

(d)  The commission by rule may add a surcharge to an application fee assessed under this chapter for an expedited application in an amount sufficient to cover the expenses incurred by the expediting, including overtime, costs of full-time equivalent commission employees to support the expedited processing of air permit applications, contract labor, and other costs. The surcharge is considered part of the application fee and shall be deposited with the fee to the credit of the clean air account established under Section 382.0622(b). Money from the surcharge collected under this section may be used to support the expedited processing of air permit applications under this section.

SECTION 10.008.  Section 780.003(b), Health and Safety Code, as amended by Chapters 372 (H.B. 1631) and 1094 (H.B. 2048), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and amended and further amended to conform to Chapter 594 (S.B. 604), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

(b)  The account is composed of money deposited to the credit of the account under Sections 542.4031, [~~and~~] 709.002, and 1006.153, Transportation Code, [~~under Section 10, Article 4413(37), Revised Statutes,~~] and under Section 780.002 of this code.

SECTION 10.009.  Section 1001.205, Health and Safety Code, as amended by Chapters 1327 (H.B. 4429), 352 (H.B. 18), and 755 (H.B. 1070), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and amended to read as follows:

Sec. 1001.205.  REPORTS. (a) Not later than September 30 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, the number of trainers who left the program for any reason during the preceding fiscal year, and the number of active trainers;

(2)  university employees, school district employees, 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 year categorized by local mental health authority region, university or school district, as applicable, and category of personnel;

(3)  individuals who are not university employees, school district employees, or school resource officers who completed a mental health first aid training program offered by the authority during the preceding fiscal year; and

(4)  veterans and immediate family members of veterans who completed the veterans module of a mental health first aid training program offered by the authority during the preceding fiscal year.

(b)  Not later than December 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:

(1)  the number of authority employees and contractors trained as mental health first aid trainers during the preceding fiscal year, the number of trainers who left the program for any reason during the preceding fiscal year, and the number of active trainers;

(2)  the number of university employees, school district employees, and school resource officers who completed a mental health first aid training program provided by an authority during the preceding fiscal year categorized by local mental health authority region, university or school district, as applicable, and category of personnel;

(3)  the number of individuals who are not university employees, school district employees, or school resource officers who completed a mental health first aid training program provided by an authority during the preceding fiscal year; [~~and~~]

(4)  veterans and immediate family members of veterans who completed the veterans module of a mental health first aid training program provided by an authority during the preceding fiscal year; and

(5) [~~(4)~~]  a detailed accounting of expenditures of money appropriated for the purpose of implementing this subchapter.

(c)  The department shall develop and provide to local mental health authorities a form to be used for the reporting of information required under Subsection (a), including the reporting of each category of personnel described by that subsection.

ARTICLE 11. CHANGES RELATING TO HUMAN RESOURCES CODE

SECTION 11.001.  Section 45.002(5), Human Resources Code, is amended to conform to Chapter 319 (S.B. 11), Acts of the 85th Legislature, Regular Session, 2017, to read as follows:

(5)  "Governmental entity" means:

(A)  this state or a municipality or other political subdivision of this state;

(B)  any agency of this state or of a municipality or other political subdivision of this state, including a department, bureau, board, commission, office, agency, council, and public institution of higher education; or

(C)  a single source continuum contractor in this state providing services identified under Section 264.153 [~~264.126~~], Family Code.

ARTICLE 12. CHANGES RELATING TO INSURANCE CODE

SECTION 12.001.  Section 2210.2515(i), Insurance Code, is amended to conform to the amendment of Chapter 1001, Occupations Code, by Chapter 1232 (H.B. 1523), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

(i)  The department is authorized to submit a formal complaint under Chapter 1001, Occupations Code, to the Texas Board of Professional Engineers and Land Surveyors related to the engineering work of a professional engineer as reflected in the sealed post-construction evaluation report or other materials submitted by an engineer under Subsection (c).

SECTION 12.002.  Sections 2210.581(a) and (b), Insurance Code, as amended by Chapters 140 (H.B. 1944) and 790 (H.B. 1900), Acts of the 86th Legislature, Regular Session, 2019, are reenacted and amended to read as follows:

(a)  Subject to Subsection (b), the commissioner, on a showing of good cause, may by rule:

(1)  extend any deadline established under this subchapter; and

(2)  set the length of the extension [~~and set the number of days by which the deadline is extended~~].

(b)  With reference to [~~The~~] deadlines applicable to the association only, all deadline extensions related to claims arising from an occurrence [~~storm~~] may not exceed 120 days in the aggregate [~~for deadlines applicable only to the association~~]. This subsection does not affect the extension of a deadline applicable to a claimant or to both the association and a claimant. [~~The limitation on extensions under this subsection does not apply to the extension of a deadline imposed on a claimant, or on both a claimant and the association.~~]

SECTION 12.003.  Section 2210.581(d), Insurance Code, as added by Chapter 140 (H.B. 1944), Acts of the 86th Legislature, Regular Session, 2019, is repealed as duplicative of Section 2210.581(d), Insurance Code, as added by Chapter 790 (H.B. 1900), Acts of the 86th Legislature, Regular Session, 2019.

ARTICLE 13. CHANGES RELATING TO NATURAL RESOURCES CODE

SECTION 13.001.  Section 51.402(c), Natural Resources Code, as amended by Chapters 493 (H.B. 4388) and 524 (S.B. 608), Acts of the 86th Legislature, Regular Session, 2019, is reenacted to read as follows:

(c)  On January 1 of each even-numbered year, the market value of the investments made under Subsections (a)(6) and (8) may not exceed an amount that is equal to 15 percent of the market value of the assets held by the board and the State Board of Education as part of the permanent school fund.

ARTICLE 14. CHANGES RELATING TO OCCUPATIONS CODE

SECTION 14.001.  Section 51.252(e), Occupations Code, as added by Chapter 289 (H.B. 2452), Acts of the 86th Legislature, Regular Session, 2019, is repealed as duplicative of Section 51.252(e), Occupations Code, as added by Chapter 1144 (H.B. 2847), Acts of the 86th Legislature, Regular Session, 2019.

SECTION 14.002.  Section 153.003(b), Occupations Code, is amended to conform to Chapter 469 (H.B. 4173), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

(b)  The rules adopted under this section must prohibit a physician from destroying a medical record from the forensic medical examination of a sexual assault victim conducted under Subchapter F or G, Chapter 56A [~~Article 56.06 or 56.065~~], Code of Criminal Procedure, until the 20th anniversary of the date the record was created.

SECTION 14.003.  Sections 503.207(c) and (d) and 505.205(d) and (e), Occupations Code, as added by Chapter 91 (H.B. 125), Acts of the 86th Legislature, Regular Session, 2019, are repealed as duplicative of Sections 507.160(c) and (d), Occupations Code, as added by Chapter 768 (H.B. 1501), Acts of the 86th Legislature, Regular Session, 2019.

SECTION 14.004.  Section 2022.001(b), Occupations Code, as added by Chapter 963 (S.B. 1969), Acts of the 85th Legislature, Regular Session, 2017, is amended to conform to Chapter 131 (H.B. 1106), Acts of the 85th Legislature, Regular Session, 2017, to read as follows:

(b)  The ex officio members are:

(1)  the chair of the Public Safety Commission, or a member of the Public Safety Commission designated by the chair; and

(2)  the commissioner of agriculture or the commissioner's [~~comptroller or the comptroller's~~] designee.

SECTION 14.005.  Section 2301.476(a)(2), Occupations Code, is amended to conform to Chapters 1233 (H.B. 1548) and 882 (H.B. 3171), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

(2)  "Type of motor vehicle" means the classification of a motor vehicle as one of the following:

(A)  a passenger car or a truck, including a pickup truck, van, panel delivery truck, or a carryall truck, with a gross vehicle weight rating of 14,000 pounds or less that is used primarily to transport persons or property;

(B)  a motorcycle or motor-driven cycle, which includes:

(i)  an all-terrain vehicle, as defined by Section 551A.001 [~~502.001~~], Transportation Code;

(ii)  a recreational off-highway vehicle, as defined by Section 551A.001 [~~502.001~~], Transportation Code;

(iii)  an autocycle, as defined by Section 501.008, Transportation Code;

(iv)  a moped, as defined by Section 541.201, Transportation Code; or

(v)  a motorcycle, as defined by Section 541.201, Transportation Code; [~~or~~

[~~(vi)  a motor-driven cycle, as defined by Section 541.201, Transportation Code;~~]

(C)  an engine, transmission, or rear axle, as described by Section 2301.002(23)(C);

(D)  a medium-duty or heavy-duty truck with a gross vehicle weight rating of more than 14,000 pounds;

(E)  a bus, as defined by Section 541.201, Transportation Code;

(F)  a road tractor or truck tractor, as defined by Section 541.201, Transportation Code;

(G)  a firefighting vehicle; or

(H)  a recreational vehicle, which includes:

(i)  a motor home;

(ii)  a towable recreational vehicle;

(iii)  a travel trailer, as defined by Section 501.002, Transportation Code; or

(iv)  a house trailer, as defined by Section 501.002, Transportation Code.

ARTICLE 15. CHANGES RELATING TO PARKS AND WILDLIFE CODE

SECTION 15.001. Section 11.032(b), Parks and Wildlife Code, as amended by Chapters 174 (H.B. 1300) and 426 (S.B. 733), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and amended to read as follows:

(b)  The department shall deposit to the credit of the game, fish, and water safety account all revenue, less allowable costs, from the following sources:

(1)  all types of fishing licenses and stamps and shrimping licenses;

(2)  all types of hunting licenses and stamps;

(3)  trapping licenses and other licenses relating to the taking, propagation, and sale of fur-bearing animals or their pelts;

(4)  sale of marl, sand, gravel, shell, and mudshell;

(5)  oyster bed rentals and permits;

(6)  federal funds received for fish and wildlife research, management, development and conservation, resource protection, and law enforcement, unless the funds are received for the specific purposes of Subchapter F, Chapter 77;

(7)  sale of property, less advertising costs, purchased from this account or a special fund or account that is now part of this account;

(8)  fines and penalties collected for violations of a law pertaining to the protection and conservation of wild birds, wild fowl, wild animals, fish, shrimp, oysters, game birds and animals, fur-bearing animals, alligators, and any other wildlife resources of this state;

(9)  sale of rough fish by the department;

(10)  fees for importation permits;

(11)  fees from supplying fish for or placing fish in water located on private property;

(12)  sale of seized pelts;

(13)  sale or lease of grazing rights to and the products from game preserves, sanctuaries, and management areas;

(14)  contracts for the removal of fur-bearing animals and reptiles from wildlife management areas;

(15)  vessel registration fees;

(16)  vessel manufacturer or dealer licensing fees;

(17)  fines or penalties imposed by a court for violation of water safety laws contained in Chapter 31 of this code;

(18)  alligator hunter's or alligator buyer's licenses;

(19)  sale of alligators or any part of an alligator by the department;

(20)  fees and revenue collected under Section 11.027(b) or (c) of this code that are associated with the conservation of fish and wildlife;

(21)  fees related to cultivated oyster mariculture;

(22)  vessel and outboard motor titling fees; [~~and~~]

(23)  participation fees collected under Section 43.976; and

(24) [~~(23)~~]  any other source provided by law.

ARTICLE 16. CHANGES RELATING TO PENAL CODE

SECTION 16.001.  Sections 12.50(b) and (c), Penal Code, as amended by Chapters 418 (S.B. 201) and 1058 (H.B. 1028), Acts of the 86th Legislature, Regular Session, 2019, are reenacted to read as follows:

(b)  The increase in punishment authorized by this section applies only to an offense under:

(1)  Section 22.01;

(2)  Section 28.02;

(3)  Section 29.02;

(4)  Section 30.02;

(5)  Section 30.03;

(6)  Section 30.04;

(7)  Section 30.05; and

(8)  Section 31.03.

(c)  If an offense listed under Subsection (b)(1), (5), (6), (7), or (8) is punishable as a Class A misdemeanor, the minimum term of confinement for the offense is increased to 180 days. If an offense listed under Subsection (b)(2), (4), or (8) is punishable as a felony of the first degree, the punishment for that offense may not be increased under this section.

SECTION 16.002.  Section 22.011(f), Penal Code, as amended by Chapters 436 (S.B. 1259) and 738 (H.B. 667), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and amended to read as follows:

(f)  An offense under this section is a felony of the second degree, except that an offense under this section is:

(1)  a felony of the first degree if the victim was:

(A) [~~(1)~~]  a person whom the actor was prohibited from marrying or purporting to marry or with whom the actor was prohibited from living under the appearance of being married under Section 25.01; or

(B) [~~(2)~~]  a person with whom the actor was prohibited from engaging in sexual intercourse or deviate sexual intercourse under Section 25.02; or

(2)  a state jail felony if the offense is committed under Subsection (a)(1) and the actor has not received express consent as described by Subsection (b)(12).

SECTION 16.003.  Section 25.07(g), Penal Code, is amended to conform to Chapter 469 (H.B. 4173), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

(g)  An offense under this section is a Class A misdemeanor, except the offense is:

(1)  subject to Subdivision (2), a state jail felony if it is shown at the trial of the offense that the defendant violated an order issued as a result of an application filed under Article 7B.001(a-1) [~~7A.01(a-1)~~], Code of Criminal Procedure; or

(2)  a felony of the third degree if it is shown on the trial of the offense that the defendant:

(A)  has previously been convicted two or more times of an offense under this section or two or more times of an offense under Section 25.072, or has previously been convicted of an offense under this section and an offense under Section 25.072; or

(B)  has violated the order or condition of bond by committing an assault or the offense of stalking.

SECTION 16.004.  Section 37.09(c-1), Penal Code, is amended to correct a reference to read as follows:

(c-1)  It is a defense to prosecution under Subsection (a) or (d)(1) that the record, document, or thing was visual material prohibited under Section 43.261 that was destroyed as described by Subsection (f)(3) [~~(f)(3)(B)~~] of that section.

SECTION 16.005.  Section 46.15(h), Penal Code, is amended to conform to Chapter 216 (H.B. 446), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

(h)  The provisions of Section [~~Sections 46.02 and~~] 46.03 prohibiting the possession or carrying of a club do not apply to a code enforcement officer who:

(1)  holds a certificate of registration issued under Chapter 1952, Occupations Code; and

(2)  possesses or carries an instrument used specifically for deterring an animal bite while the officer is:

(A)  performing official duties; or

(B)  traveling to or from a place of duty.

ARTICLE 17. CHANGES RELATING TO PROPERTY CODE

SECTION 17.001.  Section 74.501(e), Property Code, as amended by Chapters 267 (S.B. 1420) and 897 (H.B. 3598), Acts of the 86th Legislature, Regular Session, 2019, is reenacted to read as follows:

(e)  Except as provided by Subsection (f) or Section 551.051, Estates Code, the comptroller may not pay to the following persons a claim to which this section applies:

(1)  a creditor, a judgment creditor, a lienholder, or an assignee of the reported owner or of the owner's heirs;

(2)  a person holding a power of attorney from the reported owner or the owner's heirs; or

(3)  a person attempting to make a claim on behalf of a corporation that was previously forfeited, dissolved, or terminated, if the comptroller finds that:

(A)  the corporation was revived for the purpose of making a claim under this section; and

(B)  the person submitting the claim was not an authorized representative of the corporation at the time of the corporation's forfeiture, dissolution, or termination.

ARTICLE 18. CHANGES RELATING TO SPECIAL DISTRICT LOCAL LAWS CODE

SECTION 18.001.  Section 5012.0003, Special District Local Laws Code, is amended to correct a reference to read as follows:

Sec. 5012.0003.  AUTHORITY TERRITORY. The authority is composed of the territory in Jefferson County described by Section 1, Chapter 379, Acts of the 63rd Legislature, Regular Session, 1973, as that territory may have been modified under:

(1)  Subchapter H, Chapter 62, Water Code; or

(2)  other law.

ARTICLE 19. CHANGES RELATING TO TAX CODE

SECTION 19.001.  Section 25.025(a), Tax Code, as amended by Chapters 467 (H.B. 4170), 469 (H.B. 4173), 633 (S.B. 1494), 1213 (S.B. 662), and 1245 (H.B. 2446), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and amended to read as follows:

(a)  This section applies only to:

(1)  a current or former peace officer as defined by Article 2.12, Code of Criminal Procedure, and the spouse or surviving spouse of the peace officer;

(2)  the adult child of a current peace officer as defined by Article 2.12, Code of Criminal Procedure;

(3)  a county jailer as defined by Section 1701.001, Occupations Code;

(4)  an employee of the Texas Department of Criminal Justice;

(5)  a commissioned security officer as defined by Section 1702.002, Occupations Code;

(6)  an individual who shows that the individual, the individual's child, or another person in the individual's household is a victim of family violence as defined by Section 71.004, Family Code, by providing:

(A)  a copy of a protective order issued under Chapter 85, Family Code, or a magistrate's order for emergency protection issued under Article 17.292, Code of Criminal Procedure; or

(B)  other independent documentary evidence necessary to show that the individual, the individual's child, or another person in the individual's household is a victim of family violence;

(7)  an individual who shows that the individual, the individual's child, or another person in the individual's household is a victim of sexual assault or abuse, stalking, or trafficking of persons by providing:

(A)  a copy of a protective order issued under Subchapter A or B, Chapter 7B, Code of Criminal Procedure, or a magistrate's order for emergency protection issued under Article 17.292, Code of Criminal Procedure; or

(B)  other independent documentary evidence necessary to show that the individual, the individual's child, or another person in the individual's household is a victim of sexual assault or abuse, stalking, or trafficking of persons;

(8)  a participant in the address confidentiality program administered by the attorney general under Subchapter B, Chapter 58, Code of Criminal Procedure, who provides proof of certification under Article 58.059, Code of Criminal Procedure;

(9)  a federal judge, a state judge, or the spouse of a federal judge or state judge;

(10)  a current or former district attorney, criminal district attorney, or county or municipal attorney whose jurisdiction includes any criminal law or child protective services matters;

(11)  a current or former employee of a district attorney, criminal district attorney, or county or municipal attorney whose jurisdiction includes any criminal law or child protective services matters;

(12)  an officer or employee of a community supervision and corrections department established under Chapter 76, Government Code, who performs a duty described by Section 76.004(b) of that code;

(13)  a criminal investigator of the United States as described by Article 2.122(a), Code of Criminal Procedure;

(14)  a police officer or inspector of the United States Federal Protective Service;

(15)  a current or former United States attorney or assistant United States attorney and the spouse and child of the attorney;

(16)  a current or former employee of the office of the attorney general who is or was assigned to a division of that office the duties of which involve law enforcement;

(17)  a medical examiner or person who performs forensic analysis or testing who is employed by this state or one or more political subdivisions of this state;

(18)  a current or former member of the United States armed forces who has served in an area that the president of the United States by executive order designates for purposes of 26 U.S.C. Section 112 as an area in which armed forces of the United States are or have engaged in combat;

(19)  a current or former employee of the Texas Juvenile Justice Department or of the predecessors in function of the department;

(20)  a current or former juvenile probation or supervision officer certified by the Texas Juvenile Justice Department, or the predecessors in function of the department, under Title 12, Human Resources Code;

(21)  a current or former employee of a juvenile justice program or facility, as those terms are defined by Section 261.405, Family Code;

(22)  a current or former employee of the Texas Civil Commitment Office or the predecessor in function of the office or a division of the office; [~~and~~]

(23)  a current or former employee of a federal judge or state judge;

(24)  a current or former child protective services caseworker, adult protective services caseworker, or investigator for the Department of Family and Protective Services or a current or former employee of a department contractor performing child protective services caseworker, adult protective services caseworker, or investigator functions for the contractor on behalf of the department; [~~and~~]

(25) [~~(24)~~]  a state officer elected statewide or a member of the legislature; and

(26) [~~(24)~~]  a firefighter or volunteer firefighter or emergency medical services personnel as defined by Section 773.003, Health and Safety Code.

SECTION 19.002.  Section 26.08(n-1), Tax Code, is repealed as executed.

SECTION 19.003.  Section 151.461(5), Tax Code, as amended by Chapters 1332 (H.B. 4542) and 1359 (H.B. 1545), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and amended to read as follows:

(5)  "Retailer" means a person required to hold:

(A)  a wine and malt beverage retailer's permit under Chapter 25, Alcoholic Beverage Code;

(B)  a wine and malt beverage retailer's off-premise permit under Chapter 26, Alcoholic Beverage Code;

(C)  a nonprofit entity temporary event permit under Chapter 30, Alcoholic Beverage Code;

(D)  a mixed beverage permit under Chapter 28, Alcoholic Beverage Code;

(E)  a private club registration permit under Chapter 32, Alcoholic Beverage Code;

(F)  a certificate issued to a fraternal or veterans organization under Section 32.11, Alcoholic Beverage Code;

(G)  a retail dealer's on-premise license under Chapter 69, Alcoholic Beverage Code; [~~or~~]

(H)  a retail dealer's off-premise license under Chapter 71, Alcoholic Beverage Code, except for a dealer who also holds a package store permit under Chapter 22, Alcoholic Beverage Code; or

(I) [~~(M)~~]  a brewpub license under Chapter 74, Alcoholic Beverage Code.

SECTION 19.004.  Section 312.210(b), Tax Code, is amended to correct a reference to read as follows:

(b)  A tax abatement agreement with the owner of real property or tangible personal property that is located in the reinvestment zone described by Subsection (a) and in a school district that has a local revenue level that does not exceed the level established under Section 48.257, Education Code, must exempt from taxation:

(1)  the portion of the value of the property in the amount specified in the joint agreement among the municipality, county, and junior college district; and

(2)  an amount equal to 10 percent of the maximum portion of the value of the property that may under Section 312.204(a) be otherwise exempted from taxation.

ARTICLE 20. CHANGES RELATING TO TRANSPORTATION CODE

SECTION 20.001.  Section 56.001(3), Transportation Code, is repealed to conform to Chapter 1310 (H.B. 3850), Acts of the 86th Legislature, Regular Session, 2019.

SECTION 20.002.  Section 66.016(c), Transportation Code, as added by Chapter 1346 (S.B. 1915), Acts of the 86th Legislature, Regular Session, 2019, is repealed as duplicative of Section 66.016(c), Transportation Code, as added by Chapter 1347 (S.B. 2223), Acts of the 86th Legislature, Regular Session, 2019.

SECTION 20.003.  Section 501.0301(a)(1), Transportation Code, is amended to conform to Chapter 1233 (H.B. 1548), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

(1)  "Off-highway vehicle" means:

(A)  an all-terrain vehicle or recreational off-highway vehicle, as those terms are defined by Section 551A.001 [~~502.001~~];

(B)  a motorcycle, as that term is defined by Section 541.201, other than a motorcycle described by Section 521.001, that is designed by the manufacturer for off-highway use only; or

(C)  a utility vehicle, as that term is defined by Section 551A.001 [~~663.001~~].

SECTION 20.004.  Section 504.202(e-1), Transportation Code, is amended to correct a reference to read as follows:

(e-1)  Other than license plates issued under Subsection (h), license plates issued under this section may include, on request:

(1)  the emblem of the veteran's branch of service; or

(2)  one emblem from another license plate to which the person is entitled under Section 504.308, 504.309, 504.310(b), 504.311, 504.312, 504.313, 504.3135, 504.314, 504.315, 504.316, 504.3161, 504.318, 504.319, 504.320, 504.323, [~~as added by Chapter 1085 (H.B. 3567), Acts of the 85th Legislature, Regular Session, 2017,~~] or 504.325.

SECTION 20.005.  Section 504.3161, Transportation Code, as amended by Chapters 651 (S.B. 1806) and 746 (H.B. 819), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and amended to read as follows:

Sec. 504.3161.  MILITARY SPECIALTY LICENSE PLATES FOR RECIPIENTS OF CERTAIN MILITARY CAMPAIGN AND SERVICE AWARDS. The department shall issue specialty license plates for recipients of the following military awards that include the name of the award:

(1)  the Armed Forces Expeditionary Medal;

(2)  the Armed Forces Service Medal;

(3)  the Navy Expeditionary Medal;

(4)  the Global War on Terrorism Expeditionary Medal;

(5)  the Global War on Terrorism Service Medal;

(6)  the Marine Corps Expeditionary Medal;

(7)  the Merchant Marine Expeditionary Medal;

(8)  the Kosovo Campaign Medal;

(9)  the Inherent Resolve Campaign Medal; [~~and~~]

(10)  the China Service Medal; and

(11) [~~(10)~~]  the Nuclear Deterrence Operations Service Medal.

SECTION 20.006.  Section 542.304(a), Transportation Code, as added by Chapter 1094 (H.B. 2048), Acts of the 86th Legislature, Regular Session, 2019, is amended to conform to Section 4.40, Chapter 1352 (S.B. 346), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

(a)  The department by rule shall designate the offenses involving the operation of a motor vehicle that constitute a moving violation of the traffic law for the purposes of:

(1)  [~~Article 102.022(a), Code of Criminal Procedure;~~

[~~(2)~~]  Section 1001.112(a-2), Education Code;

(2) [~~(3)~~]  Section 411.110(f), Government Code; and

(3) [~~(4)~~]  Sections 773.0614(b) and 773.06141(a), Health and Safety Code.

SECTION 20.007.  Section 551.107(a), Transportation Code, is amended to conform to Chapter 1233 (H.B. 1548), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

(a)  Subtitles A, B, and D and Chapter 551A [~~663~~] do not apply to the operation of an electric bicycle.

SECTION 20.008.  Section 551A.001, Transportation Code, as transferred and redesignated from Section 663.001, Transportation Code, by Chapter 1233 (H.B. 1548), Acts of the 86th Legislature, Regular Session, 2019, and amended by Chapters 595 (S.B. 616) and 1079 (H.B. 1755), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and amended to read as follows:

Sec. 551A.001.  DEFINITIONS. In this chapter:

(1)  "All-terrain vehicle" means a motor vehicle that is:

(A)  equipped with a seat or seats for the use of:

(i)  the rider; and

(ii)  a passenger, if the motor vehicle is designed by the manufacturer to transport a passenger;

(B)  designed to propel itself with three or more tires in contact with the ground;

(C)  designed by the manufacturer for off-highway use;

(D)  not designed by the manufacturer primarily for farming or lawn care; and

(E)  not more than 50 inches wide.

(1-b)  "Commission" means the Texas Commission of Licensing and Regulation.

(1-c)  "Department" means the Texas Department of Licensing and Regulation.

(1-d) [~~(3)~~]  "Off-highway vehicle" means:

(A)  an all-terrain vehicle[~~,~~] or recreational off-highway vehicle;

(B)  a sand rail; or

(C)  a utility vehicle.

(2)  "Beach" means a beach area, publicly or privately owned, that borders the seaward shore of the Gulf of Mexico.

(3)  "Sand rail" means a vehicle, as defined by Section 502.001, that:

(A)  is designed or built primarily for off-highway use in sandy terrains, including for use on sand dunes;

(B)  has a tubular frame, an integrated roll cage, and an engine that is rear-mounted or placed midway between the front and rear axles of the vehicle; and

(C)  has a gross vehicle weight, as defined by Section 541.401, of:

(i)  not less than 700 pounds; and

(ii)  not more than 2,000 pounds.

(4)  "Public off-highway vehicle land" means land on which off-highway recreation is authorized under Chapter 29, Parks and Wildlife Code.

(5)  "Recreational off-highway vehicle" means a motor vehicle that is:

(A)  equipped with a seat or seats for the use of:

(i)  the rider; and

(ii)  a passenger or passengers, if the vehicle is designed by the manufacturer to transport a passenger or passengers;

(B)  designed to propel itself with four or more tires in contact with the ground;

(C)  designed by the manufacturer for off-highway use by the operator only; and

(D)  not designed by the manufacturer primarily for farming or lawn care.

(6)  "Utility vehicle" means a motor vehicle that is not a golf cart, as defined by Section 551.401, or lawn mower and is:

(A)  equipped with side-by-side seating for the use of the operator and a passenger;

(B)  designed to propel itself with at least four tires in contact with the ground;

(C)  designed by the manufacturer for off-highway use only; and

(D)  designed by the manufacturer primarily for utility work and not for recreational purposes.

SECTION 20.009.  Section 644.101(b), Transportation Code, as reenacted and amended by Chapters 102 (S.B. 636), 163 (H.B. 695), 169 (H.B. 917), and 467 (H.B. 4170), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and amended to read as follows:

(b)  A police officer of any of the following municipalities is eligible to apply for certification under this section:

(1)  a municipality with a population of 50,000 or more;

(2)  a municipality with a population of 25,000 or more any part of which is located in a county with a population of 500,000 or more;

(3)  a municipality with a population of less than 25,000:

(A)  any part of which is located in a county with a population of 3.3 million; and

(B)  that contains or is adjacent to an international port;

(4)  a municipality with a population of at least 34,000 that is located in a county that borders two or more states;

(5)  a municipality any part of which is located in a county bordering the United Mexican States;

(6)  a municipality with a population of less than 5,000 that is located:

(A)  adjacent to a bay connected to the Gulf of Mexico; and

(B)  in a county adjacent to a county with a population greater than 3.3 million;

(7)  a municipality that is located:

(A)  within 25 miles of an international port; and

(B)  in a county that does not contain a highway that is part of the national system of interstate and defense highways and is adjacent to a county with a population greater than 3.3 million;

(8)  a municipality with a population of less than 8,500 that:

(A)  is the county seat; and

(B)  contains a highway that is part of the national system of interstate and defense highways;

(9)  a municipality located in a county with a population between 60,000 and 66,000 adjacent to a bay connected to the Gulf of Mexico;

(10)  a municipality with a population of more than 40,000 and less than 50,000 that is located in a county with a population of more than 285,000 and less than 300,000 that borders the Gulf of Mexico;

(11)  a municipality with a population between 18,000 and 18,500 that is located entirely in a county that:

(A)  has a population of less than 200,000;

(B)  is adjacent to two counties that each have a population of more than 1.2 million; and

(C)  contains two highways that are part of the national system of interstate and defense highways; [~~or~~]

(12)  a municipality with a population of more than 3,000 and less than 10,000 that:

(A)  contains a highway that is part of the national system of interstate and defense highways; and

(B)  is located in a county with a population between 150,000 and 155,000; [~~or~~]

(13)  a municipality with a population of less than 75,000 that is located in three counties, at least one of which has a population greater than 3.3 million;

(14) [~~(13)~~]  a municipality with a population between 14,000 and 17,000 that:

(A)  contains three or more numbered United States highways; and

(B)  is located in a county that is adjacent to a county with a population of more than 200,000; or

(15) [~~(13)~~]  a municipality with a population of less than 50,000 that is located in:

(A)  a county that generated $20 million or more in tax revenue collected under Chapters 201 and 202, Tax Code, from oil and gas production during the preceding state fiscal year; or

(B)  a county that is adjacent to two or more counties described by Paragraph (A).

SECTION 20.010.  Section 644.101(c), Transportation Code, as amended by Chapters 169 (H.B. 917) and 478 (H.B. 511), Acts of the 86th Legislature, Regular Session, 2019, is reenacted and amended to read as follows:

(c)  A sheriff or a deputy sheriff of any of the following counties is eligible to apply for certification under this section:

(1)  a county bordering the United Mexican States;

(2)  a county with a population of less than 1,000, part of which is located within 75 miles of an international border; [~~or~~]

(3) [~~(2)~~]  a county with a population of 700,000 or more; or

(4) [~~(3)~~]  a county with a population of 400,000 or more that borders the county in which the State Capitol is located.

SECTION 20.011.  Section 731.001(b), Transportation Code, is amended to conform to Chapter 1233 (H.B. 1548), Acts of the 86th Legislature, Regular Session, 2019, to read as follows:

(b)  For purposes of Subsection (a)(4), the term "assembled vehicle" does not include a golf cart, as defined by Section 551.401, or an off-highway vehicle, as defined by Section 551A.001 [~~663.001~~], regardless of whether the vehicle is built or assembled by a hobbyist.

ARTICLE 21. REDESIGNATIONS

SECTION 21.001.  The following provisions of enacted codes are redesignated to eliminate duplicate citations or to relocate misplaced provisions:

(1)  Section 14.07, Alcoholic Beverage Code, as added by Chapter 1359 (H.B. 1545), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 14.071, Alcoholic Beverage Code.

(2)  Section 25.15, Alcoholic Beverage Code, as added by Chapter 1359 (H.B. 1545), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 25.16, Alcoholic Beverage Code.

(3)  Chapter 57, Alcoholic Beverage Code, as added by Section 2(b), Chapter 1161 (H.B. 3222), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Chapter 58, Alcoholic Beverage Code, and Sections 57.001, 57.002, 57.003, 57.004, and 57.005, Alcoholic Beverage Code, as added by Section 2(b) of that Act, are redesignated as Sections 58.001, 58.002, 58.003, 58.004, and 58.005, Alcoholic Beverage Code, respectively.

(4)  Section 14, Article 42.01, Code of Criminal Procedure, as added by Chapter 641 (S.B. 1570), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 15, Article 42.01, Code of Criminal Procedure.

(5)  Article 42A.515, Code of Criminal Procedure, as added by Chapter 290 (H.B. 2502), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Article 42A.516, Code of Criminal Procedure.

(6)  Subsection (l), Section 28.006, Education Code, as added by Chapter 450 (S.B. 2075), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Subsection (m), Section 28.006, Education Code.

(7)  Subsection (g), Section 29.153, Education Code, as added by Chapter 443 (S.B. 1679), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Subsection (e-1), Section 29.153, Education Code.

(8)  Section 38.033, Education Code, as added by Chapter 1042 (H.B. 706), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 38.034, Education Code.

(9)  Subchapter F, Chapter 38, Education Code, as added by Chapter 1278 (H.B. 906), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Subchapter F-1, Chapter 38, Education Code.

(10)  Subsection (c-7), Section 39.023, Education Code, as added by Chapter 1282 (H.B. 1244), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Subsection (c-9), Section 39.023, Education Code.

(11)  Section 51.609, Government Code, as added by Chapter 121 (H.B. 435), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 51.610, Government Code.

(12)  Section 72.034, Government Code, as added by Chapter 743 (H.B. 770), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 72.035, Government Code.

(13)  Section 301.033, Government Code, as transferred, redesignated, and amended by Chapter 1250 (H.B. 4181), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 301.034, Government Code.

(14)  Subchapter Q, Chapter 411, Government Code, as added by Chapter 220 (H.B. 833), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Subchapter P-1, Government Code, and Sections 411.461, 411.462, 411.463, 411.464, 411.465, 411.466, 411.467, 411.468, 411.469, 411.470, and 411.471, Government Code, as added by that Act, are redesignated as Sections 411.4501, 411.4502, 411.4503, 411.4504, 411.4505, 411.4506, 411.4507, 411.4508, 411.4509, 411.4510, and 411.4511, Government Code, respectively.

(15)  Subchapter Q, Chapter 411, Government Code, as added by Chapter 595 (S.B. 616), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Subchapter Q-1, Chapter 411, Government Code.

(16)  Section 418.054, Government Code, as added by Chapter 945 (H.B. 7), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 418.0544, Government Code.

(17)  Section 418.054, Government Code, as added by Chapter 1065 (H.B. 1307), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 418.0545, Government Code.

(18)  Sections 418.054 and 418.055, Government Code, as added by Chapter 703 (H.B. 5), Acts of the 86th Legislature, Regular Session, 2019, are redesignated as Sections 418.0542 and 418.0543, Government Code, respectively.

(19)  Sections 418.054 and 418.055, Government Code, as added by Chapter 614 (S.B. 982), Acts of the 86th Legislature, Regular Session, 2019, are redesignated as Sections 418.0546 and 418.0547, Government Code, respectively.

(20)  Sections 418.054 and 418.055, Government Code, as added by Chapter 285 (H.B. 2320), Acts of the 86th Legislature, Regular Session, 2019, are redesignated as Sections 418.0548 and 418.0549, Government Code, respectively.

(21)  Sections 418.054 and 418.055, Government Code, as added by Chapter 1116 (H.B. 2325), Acts of the 86th Legislature, Regular Session, 2019, are redesignated as Sections 418.0554 and 418.0555, Government Code, respectively.

(22)  Sections 418.054 and 418.056, Government Code, as added by Chapter 602 (S.B. 799), Acts of the 86th Legislature, Regular Session, 2019, are redesignated as Sections 418.0552 and 418.0553, Government Code, respectively.

(23)  Section 418.055, Government Code, as added by Chapter 946 (S.B. 6), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 418.0541, Government Code.

(24)  Section 418.056, Government Code, as added by Chapter 286 (H.B. 2340), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 418.0551, Government Code.

(25)  Section 418.127, Government Code, as added by Chapter 1116 (H.B. 2325), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 418.125, Government Code.

(26)  Subchapter F-1, Chapter 418, Government Code, as added by Chapter 614 (S.B. 982), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Subchapter F-2, Chapter 418, Government Code, and Sections 418.131, 418.132, and 418.133, Government Code, as added by that Act, are redesignated as Sections 418.141, 418.142, and 418.143, Government Code, respectively.

(27)  Section 418.193, Government Code, as added by Chapter 70 (S.B. 416), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 418.195, Government Code.

(28)  Section 420.035, Government Code, as added by Chapter 297 (H.B. 3106), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 420.036, Government Code.

(29)  Chapter 424, Government Code, as added by Chapter 863 (H.B. 2945), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Chapter 425, Government Code, and Sections 424.001, 424.002, 424.003, 424.004, 424.005, 424.006, 424.007, and 424.008, Government Code, as added by that Act, are redesignated as Sections 425.001, 425.002, 425.003, 425.004, 425.005, 425.006, 425.007, and 425.008, Government Code, respectively.

(30)  Section 493.032, Government Code, as added by Chapter 1163 (H.B. 3227), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 493.033, Government Code.

(31)  Section 501.026, Government Code, as added by Chapter 1163 (H.B. 3227), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 501.027, Government Code.

(32)  Section 511.0104, Government Code, as added by Chapter 891 (H.B. 3440), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 511.0106, Government Code.

(33)  Subsections (f), (g), and (h), Section 533.00253, Government Code, as added by Chapter 1330 (H.B. 4533), Acts of the 86th Legislature, Regular Session, 2019, are redesignated as Subsections (l), (l-1), and (l-2), Section 533.00253, Government Code, respectively.

(34)  Subsection (g), Section 533.005, Government Code, as added by Chapter 981 (S.B. 1177), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Subsection (h), Section 533.005, Government Code.

(35)  Subdivision (7), Section 552.003, Government Code, as added by Chapter 1216 (S.B. 943), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Subdivision (1-a), Section 552.003, Government Code.

(36)  Section 552.159, Government Code, as added by Chapter 300 (H.B. 3913), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 552.161, Government Code.

(37)  Section 552.159, Government Code, as added by Chapter 1340 (S.B. 944), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 552.162, Government Code.

(38)  Section 552.233, Government Code, as added by Chapter 462 (S.B. 494), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 552.2325, Government Code.

(39)  Section 662.071, Government Code, as added by Chapter 879 (H.B. 3084), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 662.072, Government Code.

(40)  Section 662.071, Government Code, as added by Chapter 890 (H.B. 3435), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 662.073, Government Code.

(41)  Section 662.071, Government Code, as added by Chapter 171 (H.B. 1064), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 662.074, Government Code.

(42)  Section 662.071, Government Code, as added by Chapter 193 (H.B. 2298), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 662.075, Government Code.

(43)  Section 662.071, Government Code, as added by Chapter 202 (H.B. 2597), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 662.076, Government Code.

(44)  Section 662.071, Government Code, as added by Chapter 354 (H.B. 295), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 662.077, Government Code.

(45)  Section 662.071, Government Code, as added by Chapter 421 (S.B. 430), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 662.078, Government Code.

(46)  Section 662.112, Government Code, as added by Chapter 160 (H.B. 405), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 662.113, Government Code.

(47)  Subchapter E, Chapter 2051, Government Code, as added by Chapter 1029 (H.B. 305), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Subchapter F, Chapter 2051, Government Code, and Sections 2051.151 and 2051.152, Government Code, as added by that Act, are redesignated as Sections 2051.201 and 2051.202, Government Code, respectively.

(48)  Section 2054.069, Government Code, as added by Chapter 604 (S.B. 819), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 2054.0691, Government Code.

(49)  Section 2054.519, Government Code, as added by Chapter 509 (S.B. 64), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 2054.5181, Government Code.

(50)  Subsection (d), Section 2166.052, Government Code, as added by Chapter 867 (H.B. 2977), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Subsection (c-1), Section 2166.052, Government Code.

(51)  Section 2262.056, Government Code, as added by Chapter 615 (S.B. 986), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 2262.057, Government Code.

(52)  Chapter 2272, Government Code, as added by Chapter 501 (S.B. 22), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Chapter 2273, Government Code, and Sections 2272.001, 2272.002, 2272.003, 2272.004, and 2272.005, Government Code, as added by that Act, are redesignated as Sections 2273.001, 2273.002, 2273.003, 2273.004, and 2273.005, Government Code, respectively.

(53)  Chapter 50, Health and Safety Code, as added by Chapter 1157 (H.B. 3147), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Chapter 51, Health and Safety Code, and Sections 50.0001, 50.0002, 50.0003, 50.0004, 50.0005, 50.0006, and 50.0007, Health and Safety Code, as added by that Act, are redesignated as Sections 51.0001, 51.0002, 51.0003, 51.0004, 51.0005, 51.0006, and 51.0007, Health and Safety Code, respectively.

(54)  Chapter 50, Health and Safety Code, as added by Chapter 889 (H.B. 3405), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Chapter 52, Health and Safety Code, and Sections 50.001, 50.002, 50.003, 50.004, 50.005, 50.006, and 50.007, Health and Safety Code, as added by that Act, are redesignated as Sections 52.0001, 52.0002, 52.0003, 52.0004, 52.0005, 52.0006, and 52.0007, Health and Safety Code, respectively.

(55)  Chapter 99, Health and Safety Code, as added by Chapter 6 (S.B. 999), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Chapter 99A, Health and Safety Code, and Sections 99.001, 99.002, 99.003, 99.004, 99.005, and 99.006, Health and Safety Code, as added by that Act, are redesignated as Sections 99A.001, 99A.002, 99A.003, 99A.004, 99A.005, and 99A.006, Health and Safety Code, respectively.

(56)  Chapter 298C, Health and Safety Code, as added by Chapter 454 (S.B. 2448), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Chapter 298D, Health and Safety Code, and Sections 298C.001, 298C.002, 298C.003, 298C.004, 298C.051, 298C.052, 298C.053, 298C.101, 298C.102, 298C.103, 298C.151, 298C.152, and 298C.153, Health and Safety Code, as added by that Act, are redesignated as Sections 298D.001, 298D.002, 298D.003, 298D.004, 298D.051, 298D.052, 298D.053, 298D.101, 298D.102, 298D.103, 298D.151, 298D.152, and 298D.153, Health and Safety Code, respectively.

(57)  Subchapter K, Chapter 1001, Health and Safety Code, as added by Chapter 1167 (H.B. 3285), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Subchapter L, Chapter 1001, Health and Safety Code, and Section 1001.261, Health and Safety Code, as added by that Act, is redesignated as Section 1001.281, Health and Safety Code.

(58)  Subsection (e), Section 981.004, Insurance Code, as added by Chapter 1089 (H.B. 1940), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Subsection (f), Section 981.004, Insurance Code.

(59)  Subchapter E, Chapter 1101, Insurance Code, as added by Chapter 515 (S.B. 437), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Subchapter F, Chapter 1101, Insurance Code, and Sections 1101.201, 1101.202, and 1101.203, Insurance Code, as added by that Act, are redesignated as Sections 1101.251, 1101.252, and 1101.253, Insurance Code, respectively.

(60)  Section 250.009, Local Government Code, as added by Chapter 1176 (H.B. 3371), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 250.010, Local Government Code.

(61)  Section 53.0231, Occupations Code, as added by Chapter 984 (S.B. 1217), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 53.0232, Occupations Code.

(62)  Section 2302.009, Occupations Code, as added by Chapter 1079 (H.B. 1755), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 2302.010, Occupations Code.

(63)  Section 202.020, Property Code, as added by Chapter 972 (S.B. 741), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 202.021, Property Code.

(64)  Chapter 7888, Special District Local Laws Code, is transferred to Subtitle F, Title 6, Special District Local Laws Code.

(65)  Subsection (c), Section 41.41, Tax Code, as added by Chapter 1284 (H.B. 1313), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Subsection (d), Section 41.41, Tax Code.

(66)  Subsection (f), Section 41.47, Tax Code, as added by Chapter 699 (S.B. 2531), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Subsection (g-1), Section 41.47, Tax Code.

(67)  Subsection (q), Section 351.101, Tax Code, as added by Chapter 351 (H.B. 3356), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Subsection (p), Section 351.101, Tax Code.

(68)  Section 225.152, Transportation Code, as added by Chapter 184 (H.B. 1821), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.153, Transportation Code.

(69)  Section 225.152, Transportation Code, as added by Chapter 328 (S.B. 228), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.154, Transportation Code.

(70)  Section 225.152, Transportation Code, as added by Chapter 498 (H.B. 4727), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.155, Transportation Code.

(71)  Section 225.152, Transportation Code, as added by Chapter 522 (S.B. 575), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.156, Transportation Code.

(72)  Section 225.152, Transportation Code, as added by Chapter 624 (S.B. 1221), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.157, Transportation Code.

(73)  Section 225.152, Transportation Code, as added by Chapter 704 (H.B. 23), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.158, Transportation Code.

(74)  Section 225.152, Transportation Code, as added by Chapter 813 (H.B. 2331), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.159, Transportation Code.

(75)  Section 225.152, Transportation Code, as added by Chapter 827 (H.B. 2571), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.160, Transportation Code.

(76)  Section 225.152, Transportation Code, as added by Chapter 828 (H.B. 2577), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.161, Transportation Code.

(77)  Section 225.152, Transportation Code, as added by Chapter 893 (H.B. 3471), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.162, Transportation Code.

(78)  Section 225.152, Transportation Code, as added by Chapter 1035 (H.B. 519), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.163, Transportation Code.

(79)  Section 225.152, Transportation Code, as added by Chapter 1080 (H.B. 1810), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.164, Transportation Code.

(80)  Section 225.152, Transportation Code, as added by Chapter 1209 (H.B. 4762), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.165, Transportation Code.

(81)  Section 225.152, Transportation Code, as added by Chapter 7 (H.B. 540), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.166, Transportation Code.

(82)  Section 225.152, Transportation Code, as added by Chapter 71 (S.B. 497), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.167, Transportation Code.

(83)  Section 225.152, Transportation Code, as added by Chapter 79 (S.B. 1134), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.168, Transportation Code.

(84)  Section 225.152, Transportation Code, as added by Chapter 134 (H.B. 1837), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.169, Transportation Code.

(85)  Section 225.152, Transportation Code, as added by Chapter 135 (H.B. 1838), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.170, Transportation Code.

(86)  Section 225.152, Transportation Code, as added by Chapter 219 (H.B. 693), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.171, Transportation Code.

(87)  Section 225.152, Transportation Code, as added by Chapter 256 (H.B. 1039), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.172, Transportation Code.

(88)  Section 225.152, Transportation Code, as added by Chapter 258 (H.B. 1249), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.173, Transportation Code.

(89)  Section 225.152, Transportation Code, as added by Chapter 282 (H.B. 1779), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.174, Transportation Code.

(90)  Section 225.152, Transportation Code, as added by Chapter 287 (H.B. 2351), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.175, Transportation Code.

(91)  Section 225.152, Transportation Code, as added by Chapter 305 (H.B. 1856), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.176, Transportation Code.

(92)  Section 225.152, Transportation Code, as added by Chapter 306 (H.B. 1858), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.177, Transportation Code.

(93)  Section 225.152, Transportation Code, as added by Chapter 308 (H.B. 1969), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.178, Transportation Code.

(94)  Section 225.152, Transportation Code, as added by Chapter 317 (H.B. 2615), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.179, Transportation Code.

(95)  Section 225.152, Transportation Code, as added by Chapter 682 (S.B. 2156), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.180, Transportation Code.

(96)  Section 225.152, Transportation Code, as added by Chapter 718 (H.B. 310), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.181, Transportation Code.

(97)  Section 225.152, Transportation Code, as added by Chapter 735 (H.B. 635), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.182, Transportation Code.

(98)  Section 225.152, Transportation Code, as added by Chapter 750 (H.B. 884), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.183, Transportation Code.

(99)  Section 225.152, Transportation Code, as added by Chapter 853 (H.B. 2809), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.184, Transportation Code.

(100)  Section 225.152, Transportation Code, as added by Chapter 874 (H.B. 3029), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.185, Transportation Code.

(101)  Section 225.152, Transportation Code, as added by Chapter 905 (H.B. 3671), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.186, Transportation Code.

(102)  Section 225.152, Transportation Code, as added by Chapter 913 (H.B. 3780), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.187, Transportation Code.

(103)  Section 225.152, Transportation Code, as added by Chapter 920 (H.B. 4211), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.188, Transportation Code.

(104)  Section 225.152, Transportation Code, as added by Chapter 1103 (H.B. 2167), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 225.189, Transportation Code.

(105)  Section 372.054, Transportation Code, as added by Chapter 744 (H.B. 803), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 372.0535, Transportation Code.

(106)  Chapter 473, Transportation Code, as added by Chapter 382 (H.B. 2899), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Chapter 474, Transportation Code, and Sections 473.001, 473.002, 473.003, and 473.004, Transportation Code, as added by that Act, are redesignated as Sections 474.001, 474.002, 474.003, and 474.004, Transportation Code, respectively.

(107)  Section 504.325, Transportation Code, as added by Chapter 128 (H.B. 1656), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 504.326, Transportation Code.

(108)  Section 504.671, Transportation Code, as added by Chapter 480 (H.B. 1130), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 504.672, Transportation Code.

(109)  Section 504.671, Transportation Code, as added by Chapter 888 (H.B. 3394), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 504.673, Transportation Code.

(110)  Section 504.671, Transportation Code, as added by Chapter 989 (S.B. 1271), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 504.674, Transportation Code.

(111)  Section 36.213, Utilities Code, as added by Chapter 1067 (H.B. 1397), Acts of the 86th Legislature, Regular Session, 2019, is redesignated as Section 36.214, Utilities Code.

SECTION 21.002.  The following changes are made to conform the provisions amended to the redesignating changes made by Section 21.001 of this Act and to correct cross-references:

(1)  Section 607.001(1), Business & Commerce Code, is amended to read as follows:

(1)  "Center" means the payment fraud fusion center established under Chapter 425 [~~424~~], Government Code.

(2)  Subsection (a), Section 411.4507, Government Code, as redesignated from Subsection (a), Section 411.467, Government Code, by Section 21.001 of this Act, is amended to read as follows:

(a)  When a law enforcement agency notifies the department under Section 411.4506 [~~411.466~~], the department shall confirm the accuracy of the information and, if confirmed, immediately issue an alert under this subchapter in accordance with department rules.

(3)  Section 411.4508, Government Code, as redesignated from Section 411.468, Government Code, by Section 21.001 of this Act, is amended to read as follows:

Sec. 411.4508 [~~411.468~~].  CONTENT OF CAMO ALERT. The alert must include:

(1)  all appropriate information that is provided by the law enforcement agency under Section 411.4506 [~~411.466~~] and that may lead to the safe recovery of the missing military member; and

(2)  a statement instructing any person with information related to the missing military member to contact a law enforcement agency.

(4)  Section 411.4510, Government Code, as redesignated from Section 411.470, Government Code, by Section 21.001 of this Act, is amended to read as follows:

Sec. 411.4510 [~~411.470~~].  LIMITATION ON PARTICIPATION BY TEXAS DEPARTMENT OF TRANSPORTATION. Notwithstanding Section 411.4505(b) [~~411.465(b)~~], the Texas Department of Transportation is not required to use any existing system of dynamic message signs in a statewide alert system created under this subchapter if the department receives notice from the United States Department of Transportation Federal Highway Administration that the use of the signs would result in the loss of federal highway funding or other punitive actions taken against this state due to noncompliance with federal laws, regulations, or policies.

(5)  Subdivision (2), Section 418.141, Government Code, as redesignated from Subdivision (2), Section 418.131, Government Code, by Section 21.001 of this Act, is amended to read as follows:

(2)  "Task force" means the task force established under Section 418.142 [~~418.132~~].

(6)  Subsections (l-1) and (l-2), Section 533.00253, Government Code, as redesignated from Subsections (g) and (h), Section 533.00253, Government Code, by Section 21.001 of this Act, are amended to read as follows:

(l-1) [~~(g)~~]  Not later than December 1, 2022, the commission shall prepare and submit a written report to the legislature of the executive commissioner's determination under Subsection (l) [~~(f)~~].

(l-2) [~~(h)~~]  Subsections (l) [~~(f)~~] and (l-1) [~~(g)~~] and this subsection expire September 1, 2023.

(7)  Section 2051.201, Government Code, as redesignated from Section 2051.151, Government Code, by Section 21.001 of this Act, is amended to read as follows:

Sec. 2051.201 [~~2051.151~~].  APPLICABILITY OF SUBCHAPTER. Except as provided by Section 2051.202(b) [~~2051.152(b)~~], this subchapter applies only to a political subdivision with the authority to impose a tax that at any time on or after January 1, 2019, maintained a publicly accessible Internet website.

(8)  Subsection (a), Section 2273.004, Government Code, as redesignated from Subsection (a), Section 2272.004, Government Code, by Section 21.001 of this Act, is amended to read as follows:

(a)  The attorney general may bring an action in the name of the state to enjoin a violation of Section 2273.003 [~~2272.003~~]. The attorney general may recover reasonable attorney's fees and costs incurred in bringing an action under this subsection.

(9)  Subsection (a), Section 51.0003, Health and Safety Code, as redesignated from Subsection (a), Section 50.0003, Health and Safety Code, by Section 21.001 of this Act, is amended to read as follows:

(a)  The program:

(1)  must collaborate with physicians and health care providers to notify a prospective subject about the program when:

(A)  the prospective subject provides informed consent for a cancer clinical trial; or

(B)  funding is available to provide the program for the cancer clinical trial in which the prospective subject participates;

(2)  must reimburse subjects based on financial need, which may include reimbursement to subjects whose income is at or below 700 percent of the federal poverty level;

(3)  must provide reimbursement for ancillary costs, including costs described by Section 51.0002 [~~50.0002~~], to eliminate the financial barriers to enrollment in a clinical trial;

(4)  may provide reimbursement for reasonable ancillary costs, including costs described by Section 51.0002 [~~50.0002~~], to one family member, friend, or other person who attends a cancer clinical trial to support a subject; and

(5)  must comply with applicable federal and state laws.

(10)  Subsections (a) and (c), Section 99A.002, Health and Safety Code, as redesignated from Subsections (a) and (c), Section 99.002, Health and Safety Code, by Section 21.001 of this Act, are amended to read as follows:

(a)  In developing the state plan under Section 99A.001 [~~99.001~~], the department shall seek comments from interested parties, including:

(1)  members of the public with, or who care for persons with, Alzheimer's disease or related disorders;

(2)  each state agency that provides services to persons with Alzheimer's disease or related disorders;

(3)  any advisory body that addresses issues related to Alzheimer's disease or related disorders;

(4)  public advocates concerned with issues related to Alzheimer's disease or related disorders;

(5)  physicians and health care providers licensed in this state who have clinical training and experience in caring for persons with Alzheimer's disease or related disorders; and

(6)  researchers of issues affecting persons with Alzheimer's disease or related disorders.

(c)  The department shall meet with interested parties at least two times each year to:

(1)  facilitate comments on and discuss the progress of developing and implementing the state plan developed under this chapter; and

(2)  gather information for the report required under Section 99A.004 [~~99.004~~].

(11)  Section 99A.006, Health and Safety Code, as redesignated from Section 99.006, Health and Safety Code, by Section 21.001 of this Act, is amended to read as follows:

Sec. 99A.006 [~~99.006~~].  NO CAUSE OF ACTION, DUTY, STANDARD OF CARE, OR LIABILITY CREATED. Notwithstanding any other law, Section 99A.001 [~~99.001~~], including the use of or failure to use any information or materials developed or disseminated under that section, does not create a civil, criminal, or administrative cause of action or liability or create a standard of care, obligation, or duty that provides a basis for a cause of action.

(12)  Section 102.203(b), Health and Safety Code, is amended to read as follows:

(b)  Except as otherwise provided by this section, money awarded under this subchapter may be used for authorized expenses, including honoraria, salaries and benefits, travel, conference fees and expenses, consumable supplies, other operating expenses, contracted research and development, capital equipment, construction or renovation of state or private facilities, and reimbursement for costs of participation incurred by cancer clinical trial participants, including transportation, lodging, and any costs reimbursed under the cancer clinical trial participation program established under Chapter 51 [~~50~~].

(13)  Subsection (c), Section 298D.101, Health and Safety Code, as redesignated from Subsection (c), Section 298C.101, Health and Safety Code, by Section 21.001 of this Act, is amended to read as follows:

(c)  The board's determination of the amount of mandatory payments to be collected during the year must be shown to be based on reasonable estimates of the amount of revenue necessary to fund intergovernmental transfers from the district to the state providing the nonfederal share of payments described by Section 298D.103(b)(1) [~~298C.103(b)(1)~~] that is otherwise unfunded.

(14)  Subsections (a) and (b), Section 298D.103, Health and Safety Code, as redesignated from Subsections (a) and (b), Section 298C.103, Health and Safety Code, by Section 21.001 of this Act, are amended to read as follows:

(a)  The local provider participation fund established under Section 298D.102 [~~298C.102~~] consists of:

(1)  all mandatory payments authorized under this chapter and received by the district;

(2)  money received from the Health and Human Services Commission as a refund of an intergovernmental transfer from the district to the state as the nonfederal share of Medicaid supplemental payment program payments, provided that the intergovernmental transfer does not receive a federal matching payment; and

(3)  the earnings of the fund.

(b)  Money deposited to the local provider participation fund may be used only to:

(1)  fund intergovernmental transfers from the district to the state to provide the nonfederal share of Medicaid payments for:

(A)  uncompensated care and delivery system reform incentive payments to nonpublic hospitals, if those payments are authorized under the Texas Healthcare Transformation and Quality Improvement Program waiver issued under Section 1115 of the federal Social Security Act (42 U.S.C. Section 1315);

(B)  uniform rate enhancements for nonpublic hospitals in the Medicaid managed care service area in which the district is located;

(C)  payments available to nonpublic hospitals under another waiver program authorizing payments that are substantially similar to Medicaid payments to nonpublic hospitals described by Paragraph (A) or (B); or

(D)  any reimbursement to nonpublic hospitals for which federal matching funds are available;

(2)  subject to Section 298D.151(d) [~~298C.151(d)~~], pay the administrative expenses of the district in administering the program, including collateralization of deposits;

(3)  refund a portion of a mandatory payment collected in error from a paying hospital; and

(4)  refund to paying hospitals a proportionate share of the money that the district:

(A)  receives from the Health and Human Services Commission that is not used to fund the nonfederal share of Medicaid supplemental payment program payments described by Subdivision (1); or

(B)  determines cannot be used to fund the nonfederal share of Medicaid supplemental payment program payments described by Subdivision (1).

(15)  Subsection (d), Section 298D.151, Health and Safety Code, as redesignated from Subsection (d), Section 298C.151, Health and Safety Code, by Section 21.001 of this Act, is amended to read as follows:

(d)  Subject to the maximum amount prescribed by Subsection (c) and this subsection, the board shall set the mandatory payments in amounts that in the aggregate will generate sufficient revenue to cover the administrative expenses of the district for activities under this chapter, fund an intergovernmental transfer described by Section 298D.103(b)(1) [~~298C.103(b)(1)~~], or make other payments authorized under this chapter. The amount of the mandatory payments must be based on reasonable estimates of the amount of revenue necessary to cover the administrative expenses, intergovernmental transfers, and other payments described by this subsection as authorized under this chapter. The amount of revenue from mandatory payments that may be used for administrative expenses by the district in a year may not exceed $25,000, plus the cost of collateralization of deposits. If the board demonstrates to the paying hospitals that the costs of administering the program under this chapter, excluding those costs associated with the collateralization of deposits, exceed $25,000 in any year, on consent of all of the paying hospitals, the district may use additional revenue from mandatory payments received under this chapter to compensate the district for its administrative expenses. A paying hospital may not unreasonably withhold consent to compensate the district for administrative expenses.

(16)  Section 643.002, Transportation Code, as effective September 1, 2021, is amended to read as follows:

Sec. 643.002.  EXEMPTIONS. This chapter does not apply to:

(1)  motor carrier operations exempt from registration by the Unified Carrier Registration Act of 2005 (49 U.S.C. Section 14504a) or a motor vehicle registered under the single state registration system established under 49 U.S.C. Section 14504(c) when operating exclusively in interstate or international commerce;

(2)  a motor vehicle registered as a cotton vehicle under Section 504.505;

(3)  a motor vehicle the department by rule exempts because the vehicle is subject to comparable registration and a comparable safety program administered by another governmental entity;

(4)  a motor vehicle used to transport passengers operated by an entity whose primary function is not the transportation of passengers, such as a vehicle operated by a hotel, day-care center, public or private school, nursing home, or similar organization;

(5)  a vehicle operating under:

(A)  Section 14.071 [~~14.07~~], Alcoholic Beverage Code;

(B)  Section 16.10, Alcoholic Beverage Code;

(C)  Section 19.06, Alcoholic Beverage Code; or

(D)  Section 20.04, Alcoholic Beverage Code;

(6)  a vehicle operated by a governmental entity; or

(7)  a tow truck, as defined by Section 2308.002, Occupations Code.

ARTICLE 22. EFFECTIVE DATE

SECTION 22.001.  Except as otherwise provided by this Act, this Act takes effect September 1, 2021.

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    President of the Senate Speaker of the House

I certify that H.B. No. 3607 was passed by the House on May 8, 2021, by the following vote:  Yeas 138, Nays 1, 2 present, not voting.

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

Chief Clerk of the House

I certify that H.B. No. 3607 was passed by the Senate on May 27, 2021, by the following vote:  Yeas 31, Nays 0.

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

Secretary of the Senate

APPROVED:  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

                    Date

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

                  Governor